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TOWARDS
SELF-GOVERNMENT
IN THE
BRITISH COLONIES

AN ACCOUNT
OF THE GROWTH OF POLITICAL RESPONSIBILITY
AND OF THE STEPS
BY WHICH DEMOCRATIC INSTITUTIONS
ARE BEING BUILT UP

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TOWARDS SELF-GOVERNMENT IN THE BRITISH COLONIES

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West Indies
Jamaica, Trinidad, Barbados, Bahamas,
Leeward Islands, Windward Islands
Brit. Guiana, Brit. Honduras
area: 111,400 sq. miles
population: 2,591,900

Atlantic Islands
Bermuda, Falkland Is.,
St. Helena, Ascension
Tristan da Cunha
area: 4,800 sq. miles
population: 41,200

Europe & Mediterranean
Gibraltar, Malta, Cyprus
area: 3,700 sq. miles
population: 685,700

Far East
Malaya, N. Borneo, Brunei,
Sarawak, Hong Kong
area: 133,100 sq. miles
population: 7,911,200

Pacific Islands
Fiji, Solomon Is., Tonga,
Gilbert & Ellice Is.,
New Hebrides, Pitcairn
area: 24,200 sq. miles
population: 417,900

West Africa
Nigeria, Gold Coast, Sierra Leone,
Gambia, Togoland, Cameroons
area: 496,600 sq. miles
population: 27,291,500

Indian Ocean
Mauritius, Ceylon,
Aden, Seychelles
area: 138,000 sq. miles
population: 6,700,400

East & Central Africa
Brit. Somaliland, Kenya, Uganda,
Tanganyika, Nyasaland, Nthn.
Rhodesia, Zanzibar
area: 1,075,700 sq. miles
population: 16,729,200

High Commission Territories
Basutoland, Bechuanaland, Swaziland
area: 293,000 sq. miles
population: 1,083,100

Australia

New Zealand

Other Territories: St. Helena, Ascension, Tristan da Cunha, Falkland Is., Pitcairn, Br. Honduras, Jamaica, Windward Is., Barbados, Trinidad, Br. Guiana, Sierra Leone, Gold Coast, Cameroons, Nigeria, Gambia, Togoland, N. Rhodesia, S. Rhodesia, S. W. Africa, Bechuanaland, Swaziland, Basutoland, S. Africa, S. Rhodesia, Nyasaland, Tanganyika, Zanzibar, Seychelles, Kenya, Br. Somaliland, Aden, Mauritius, New Guinea, West. Samoa, Fiji, Tonga, Ellice Is., Solomon Is., Gilbert Is., New Hebrides.

SHOWING AREA AND POPULATION OF UNITED KINGDOM DEPENDENT AREAS

(INCLUDING TRUST TERRITORIES)

TOWARDS SELF-GOVERNMENT IN THE BRITISH COLONIES

I. INTRODUCTION

"They respect the right of all peoples to choose the form of government under which they will live. . . ."

So runs Clause 3 of the Atlantic Charter. It is reasonable to ask: How does this profession square with British practice? Do all the peoples of British colonial territories choose their own form of government? If not, why not? Doesn't self-government for British colonial peoples mean the breakup of the British Commonwealth and Empire?

Before answering these questions, let us look again at the Atlantic Charter.

Fifth in the aims it sets forth stands ". . . economic advancement and social security." The framers of the Charter realized fully that political freedom was meaningless without economic stability—that you cannot feed empty bellies on ballot papers. Progress towards self-government must go hand in hand with economic progress and educational opportunity. Peoples whose civic sense and sense of nationhood are still unawakened, who have no basic aims in common, have to learn through experience what is meant by the concept of "self-government" before they can know how to choose the form of government they want.

VARIETY OF CONDITIONS

This means that the development of self-government must be a gradual business—for it must depend on processes that in themselves take time: education and economic development. In addition, it must be adapted to widely differing conditions.

In the Colonial Empire, which stretches over the tropics from the West Indies across Africa to the islands of the Pacific, live some 63 million people in more than 50 different territories. Only a small proportion of these people are of European stock; the rest are colored people, two-thirds of them Africans and most of the remaining third Asiatics. Though 43 million inhabitants of British Africa are all African, they spring from widely differing stocks, speak many different tongues, and are at all sorts of different levels of culture and intelligence. Nigeria alone numbers 20 millions. There the vast Moslem emirates of the north contrast sharply with the pagan kingdoms of the south, while there is little in common between tribes of nomads driving their cattle from one pasture to another and African officials, lawyers and doctors educated in the European tradition. In Nigeria, with its great population, there is an immense variety

of tribes, cultures, languages and religions. There is the primitive animist, the Mohammedan Emir, the Christian lawyer with a European education; and self-government, if it is to bring real freedom, must depend on a reconciliation of these varying interests which in its turn can come about only through economic and educational development. In Kenya, the problem is complicated by the existence of a white settler community and of an Indian community whose immigration was largely Government-sponsored and to whose efforts the opening up and development of the country (by which the Africans have benefited) is largely due. Here self-government must strike a balance between the white settler, the Indian settler, and the different African communities.

In Jamaica, the original constitution gave wide powers, but until the nineteenth century these were confined to one section of the population, namely, the white settlers. Emancipation and education of the Negro population altered the whole situation. After many changes, there is now a constitution based on universal suffrage.

These are only three examples. But they show that there can be no hard and fast rule, no uniformity of method, no simultaneous flowering of self-government in such varied conditions. "We have no cut and dried pattern," said a former Secretary of State for the Colonies, Lord Cranborne, in 1942: "We have adopted and adapted existing systems, changing them readily as the need arose and experience taught." This flexibility and elasticity has long been a characteristic of British constitutional methods.

THE BACKGROUND OF THE PAST

To the variety of race, culture, and standards of the different peoples of the Colonial Empire, and of different peoples in the same area (which may be called the human factor) there is added another factor—the history of their relations with Britain. In many places British government was finally established less than 50 years ago. Before the British arrived, these were not happy, peaceful countries enjoying the Four Freedoms. Africa was a prey to tribal warfare and slavery; the Pacific islands were scenes of cannibalism and head-hunting; tyranny, lawlessness, and civil war scarred the face of Malaya. Poverty and disease were everywhere.

Until recent years, Britain was chiefly concerned with providing the Dependencies with justice and security and promoting their progress towards self-government. Since the 1920's, however, it has been increasingly recognized that political advance is unreal unless it is reinforced by social and economic development. As so many of the peoples of the Colonial Empire are backward or primitive, their chances as citizens of self-governing communities are slight unless they are relieved of the incubus of disease and poverty and are adequately educated, and unless the economic resources of their countries are properly organized and the communications necessary for a healthy trade and effective government are well developed. In every area Britain is faced in varying degrees with the gigantic problem of raising the standard of living of the people, and the challenge has been accepted. It is not within the scope of this pamphlet to describe the schemes for social and economic improvement which are being put into practice nor the plans which are being made for the future, but they must not be forgotten.

DIFFERENT FORMS OF GOVERNMENT

In spite of the variety of the British Dependencies, some general classifications can be made. Most of the older Dependencies are known as Colonies and are directly governed under the system known as Crown Colony Government—a system capable of expansion all the way up to complete self-government. Many of the Dependencies, however, particularly in Africa, are described as Protectorates; and still others, again, are Protected States. In both these types central government operates through a system of indirect rule; that is to say, it governs through the existing native administrations and aims at developing and expanding these existing systems so that the native peoples acquire increasing responsibility. Malta and Jamaica are examples of Crown Colonies; Uganda and Nyasaland are examples of Protectorates. In a number of areas the original trading settlement became a Colony while the rest of the territory is a Protectorate; for example, the Gold Coast includes a Colony and a Protectorate. In such territories the aim is to develop the political systems in both areas towards a finally integrated form of self-government.

There are certain legal differences in the status of Colonies and Protectorates. Thus while a Colony is British territory under the Crown, in a Protectorate the Crown exercises authority without annexing the territory. In Protected States authority is vested in the sovereign of each State, and not in the Crown which derives its functions from treaty agreements conferring certain powers and duties upon it. For administrative purposes, however, the general framework is very similar.

HOW PROGRESS IS MADE

The common denominator of all these Dependencies is the Governor, appointed by the Secretary of State for the Colonies in London, and directly responsible to him. The Secretary of State, in his turn, is responsible to the British public through its elected representatives in Parliament. The Governor in some cases rules unassisted; or he may have an Executive Council only; or he may have both an Executive and a Legislative Council; and the legislative body may consist of one or two Houses. These are the broad variations. Development of responsible government is being brought about by extending the vote, by increasing the number of elected members in the Legislature and finally by admitting to the executive body elected members drawn from the Legislature.

THE LADDER OF POLITICAL PROGRESS

The various stages through which the authority of the people can develop are sometimes likened to the different rungs of a ladder. Between the top and the bottom there is scope for many intermediate steps, but their broad stages are these:

On the lowest rung stand those Dependencies which are administered by a Governor alone whose authority is supreme, subject to the approval of the Secretary of State. This is an exceptional form of government.

Next come the Dependencies where the Governor, exercising all legislative and executive functions, is assisted by a nominated council composed of the chief European officers—the Colonial Secretary, the Attorney-General,

the Treasurer—and certain other officials or members of the public. In these Dependencies, although the Governor can veto the demands of the members of his council, they are empowered to appeal to the Secretary of State if they so desire.

A step higher and we can see the makings of a regular constitution. Here the Governor with his nominated Executive Council, which he is required to consult on all save the most urgent matters, has the additional assistance of a Legislative Council, a law-making, tax-raising body. The Legislative Council at first consists entirely of nominated official members,* but as soon as the people are politically ready one or more of them is appointed to serve on it, and the Council is later expanded to include elected members. Gradually the elected element is increased until the elected members are in a majority, first over the nominated unofficial members, and then over the nominated unofficial and the official members combined.

Another step and we arrive at representative government. This often takes the form of a Legislative Assembly, entirely elected somewhat on the lines of the British House of Commons, and a nominated Legislative Council as an Upper House. These two bodies together form the Legislature. The Executive Council is still appointed by the Crown on the advice of the Governor, but the latter begins to nominate to it certain members of the Assembly. At this stage the elected representatives of the people, who form the Lower House, control taxation and have at the least a very large voice in all legislative and executive matters. In some cases, such as the Colonies of Bermuda, the Bahamas and Barbados, the Legislature, comprising the nominated Legislative Council and the elected House of Assembly, has the final voice in matters of legislation and taxation, although the Governor possesses the power of veto, which has not in fact been used in those Colonies for very many years. Although, therefore, it may be said that in such Colonies the ultimate responsibility rests with the Governor, and through him with the Secretary of State, he does not in fact possess the ultimate power which normally accompanies responsibility, since in the vital fields of legislation and finance he has in the last resort only a negative voice.

At the top of the ladder, but below the status of a Dominion, are the Dependencies that have achieved responsible government. This means that the Executive Council is transformed into a Cabinet or Board of Ministers representing the majority party of a fully developed parliament, and guides and advises the Governor on practically every aspect of internal policy affecting the territory. This is the essential feature of parliamentary democracy as practised in Britain. Responsibility, formerly vested in the Governor, is now assumed by the Ministers who are directly answerable to the people.

* A *nominated official member* is appointed by the Governor from members of the Government service (e.g., Director of Health Services, Director of Education, etc.) but his office does not automatically entitle him to a seat. In some cases it does, and he is then known as an *ex-officio* member (e.g., Colonial Secretary, Colonial Treasurer, Attorney-General).

A *nominated unofficial member* is appointed by the Governor from outside the Government service.

An *elected member* is elected by the voters of the country.

Southern Rhodesia has had responsible government since 1923, and is therefore not strictly part of the Colonial Empire. It has its own Cabinet of Ministers who are responsible to a freely elected legislature. Britain still retains control over external affairs and to some extent over legislation affecting the large native population. Ceylon has had a form of responsible government since 1931, and in 1946 acquired virtually complete control over her own internal affairs. Malta, which was promised responsible government as soon as possible after the war, is at present discussing with the British Government the details of her new constitution. Jamaica now has a bicameral legislature and five of the ten members of the Executive Council are elected by the House of Assembly, itself elected by universal franchise. In several of the other West Indian Dependencies, in East and West Africa, in Fiji, and in the Seychelles there were advances during the war, and many others have taken place since the war ended.

The succeeding pages aim at giving some account of the various political advances. In spite of the strain and anxiety of total war, progress has been continuous and widespread, and in the post-war period there have already been major changes. This account illustrates the genuine and dynamic quality of Britain's colonial policy of advance to self-government. Nor is this a sudden change of attitude resulting from the pressure of world opinion or the fear of disintegration. It is just the latest chapter in the story of the application of a long-established policy.

II. CEYLON

DEVELOPMENT OF REPRESENTATIVE INSTITUTIONS IN THE 18TH AND 19TH CENTURIES

Most politically advanced of all the territories of the Colonial Empire today is Ceylon. Captured from the Dutch, the island was made a dependency of India in 1796 under a dual civil and military control divided between the Crown and the East India Company. In 1802, Company control came to an end, and, as a Crown Colony, Ceylon was administered for 30 years by a Governor with the assistance of an Advisory Council.

In 1833, the people of Ceylon were first represented in their own government, for it was in that year that a Legislative Council containing European and Ceylonese members nominated by the Governor was established. This Council provided a valuable opportunity for all sections of the community to discuss their grievances and express their wishes, an opportunity which was amplified by the complete freedom of the press. Earlier in the century, after a system of corrupt local government had been swept away, the Ceylon civil service was brought into being, and, equally important, a judicial system consisting of two branches, one for Europeans and one for Ceylonese.

Throughout the nineteenth century the British Government labored conscientiously in an endeavor to bring the peoples of Ceylon to the stage of political development when they could be given control of their internal policy. This was no easy problem, for though the ultimate aim was national autonomy on the dominion model, the question remained: Was Ceylon a nation? Of its five million inhabitants less than three and a half million were Sinhalese and of these one and a quarter million were of the ancient

Kingdom of Kandy and held themselves to some extent apart. In addition, there were half a million Ceylon-born Tamils, originally from Southern India, and another 700,000 recent Tamil immigrants; and there were two other small but important communities: the descendants of the Dutch burghers, and other Europeans. But the problem of welding diverse cultural and racial elements into a united whole had to be faced. It is a significant fact that a hundred years before the League of Nations gave expression to the theory of the trusteeship of native peoples the Government of Ceylon was acting according to the same principle. Under British administration political growth was accompanied by great strides in social and economic progress. Irrigation works long abandoned were restored, a magnificent network of roads and railways was provided and large areas of jungle were reclaimed for agriculture, the island's chief pursuit; while the prosperity of the tea, coconut, and plumbago industries swelled the revenue and made available large sums of money which have been spent on the development of agriculture and on educational and medical facilities.

POLITICAL PROGRESS: 1927-1946

Politically, a series of alterations and amendments in the constitution culminated in 1931 in the grant of a new constitution, based on the findings of a Commission which went out to Ceylon in 1927-28, under the Chairmanship of the Earl of Donoughmore. Under it the Legislative Council was replaced by a State Council consisting of 50 members elected for territorial constituencies on the basis of universal adult suffrage.

This State Council was divided into seven Executive Committees, each being responsible for a department of Government, namely, Home Affairs, Education, Agriculture and Lands, Local Administration, Labor, Industry and Commerce, Public Health, Communications and Works. Each Committee elected its own chairman who became the Minister responsible to the Council as a whole. All ordinances were enacted by the State Council with the Governor's assent. Thus the foundations of a system of ministerial responsibility were laid and the Board of Ministers was an approach to the Cabinet system of the British constitution. The Governor retained control over defense and foreign affairs.

A further advance was made in 1941. The British Government gave an undertaking to review the constitutional position "by means of a Commission or Conference" as soon as practicable after the end of the war. In 1943, this undertaking was reaffirmed in a statement which emphasized that "the post-war re-examination of the reform of the Ceylon Constitution, to which His Majesty's Government stands pledged, will be directed towards the grant to Ceylon by Order of His Majesty in Council, of full responsible Government under the Crown in all matters of internal civil administration." This statement, which defined Britain's continuing responsibility for the conduct of defense and foreign affairs and for certain measures affecting currency, the rights of racial and religious communities and of British subjects not residing on the island, gave Ceylon's Ministers the opportunity to start the work of drafting their own constitution and of defining the broad limits within which it might be framed.

By the summer of 1944, the Ceylon Board of Ministers had completed

a draft scheme which was submitted to the Secretary of State for the Colonies. Although it had originally been intended that examination of any proposals must wait until the end of the war, consideration of the new constitution was hastened by the appointment of a Commission to visit the island and examine the scheme. Lord Soulbury was appointed Chairman of the Commission whose terms of reference included examination and discussion of any proposals for constitutional reform; "and after consultation with various interests in the island, including minority communities, concerned with the subject of constitutional reform, to advise His Majesty's Government on all measures necessary to attain that object." The Commission remained in Ceylon from December, 1944, to April, 1945.

It reported* in October, 1945, and in November the British Government offered Ceylon a new constitution giving the Ceylonese full control over the internal affairs of the island.† This constitution is based on the Commission's proposals and conforms in most respects to the Ministers' 1944 draft scheme. It provides for a Parliament, in which the King will be represented by the Governor, and which will consist of an Upper and a Lower House to be known as the Senate and the House of Representatives. A Cabinet of Ministers, headed by a Prime Minister, will be charged with the general direction of the Government. This Cabinet will be collectively responsible to the Ceylon Parliament, a fact which should give it much greater efficiency and unity of purpose than was possible for the Board of Ministers, each of whom was in effect only the spokesman for a Committee of the State Council. The British Government retains a limited degree of control over certain matters through the Governor, whose powers are, however, considerably reduced. He is required to reserve for His Majesty's assent, Bills which in his opinion have evoked serious opposition by any religious or racial community, or are likely to involve repressions or serious injustice to any such community. He may not enact special ordinances dealing with defense and external affairs, but the British Government retains the power to legislate on these points if necessary. Legislation relating to franchise and immigration is specifically excluded from the Governor's powers of reservation. The interests of minorities are safeguarded in various ways besides through the Governor's powers. The Ceylon Parliament may not introduce legislation discriminating against any community. In the House of Representatives, which will have 95 elected members, there will also be six members nominated by the Governor from communities which have failed to secure adequate representation through the election, while in the delimitation of constituencies special consideration has been given to providing fair chances of representation to all communities. The Upper House (consisting of 15 members elected by the Lower House and 15 nominated by the Governor) will also act as a safeguard in so far as its delaying powers will impede over-hasty legislation.

When the British Government proposed this constitution to Ceylon, they stated that they hoped it would be accepted with a determination to operate it in such a way that Dominion status might be achieved in a

* *Ceylon: Report of the Commission on Constitutional Reform* (Cmd. 6677). London, H. M. Stationery Office, September, 1945: Price 90 cents.

† *Ceylon: Statement of Policy on Constitutional Reform* (Cmd. 6690). London, H. M. Stationery Office, October, 1945. Price 10 cents.

short time. The State Council, while expressing disappointment that the constitution did not confer Dominion status forthwith, accepted it on these terms by a majority of 51 votes to three. The Order in Council embodying the new constitution was published on May 17, 1946.

In preparation for elections under the new constitution, a census was held in February and March, 1946, and a Commission for the delimitation of constituencies was appointed in May. On the basis of the population figures obtained by the census, the Commission presented its report in September. Elections will be held in the latter half of 1947.

Ceylon is a conspicuous illustration of the problems that confront political progress in a country where there are communities of different races with different cultural backgrounds and where, in consequence, the development of a common sense of nationhood is difficult. The British Government had assumed responsibility for the welfare of all the peoples of Ceylon. Its task has been to ensure that the rights of minorities are not ignored, while at the same time avoiding such an emphasis on communal rights as would tend to perpetuate rather than resolve communal differences. Emphasis has been laid rather on the responsibility of Ministers of Government to the whole population, regardless of race or community. The series of political experiments which have led Ceylon to the threshold of Dominion status have been based on this principle, and on the realization that political maturity can only come to a country which has been responsible for solving its own political and social problems.

III. MALTA

Throughout a history which dates from the Stone Age, Malta (which is the largest of the small group called the Maltese Islands) has been ruled by many different peoples including the Greeks, Romans, Arabs, Normans, and Spaniards. In 1798, Napoleon and his army on the way to Egypt seized Malta from the crusading Order of the Knights of St. John of Jerusalem who had ruled it for over 200 years. The Maltese appealed to Britain for help and, as a result, the Royal Navy with the help of the Maltese besieged the French garrison in the harbor town of Valletta until it surrendered in 1800. The Treaty of Amiens in 1802 provided for the restoration of Malta to the Knights. But the Maltese people strongly protested and petitioned for the return of the British, and in 1814 Malta was recognized by the Treaty of Paris as part of the British Empire.

From 1849 onwards, the people had a hand in their own government, and after the war of 1914-18 they achieved internal self-government with a Cabinet of Ministers and a bicameral legislature consisting of a Senate and an elected Assembly. Internal party conflict aggravated by Italian Fascist interference led first to the suspension and finally to the withdrawal of the constitution in 1933 in favor of Crown Colony rule under a Governor assisted by a nominated Executive Council.

In 1938, however, internal differences having been resolved, the Secretary of State announced a new constitution for Malta providing for a legislature to be known as the "Council of Government" composed of eight official members, two unofficial nominated members, and ten elected members.

The Maltese people thus once more acquired, through their elected members, a measure of responsibility for the conduct of their own affairs. In 1943, a far greater measure of responsibility was promised, for the Secretary of State announced that Malta would have responsible government in the conduct of internal affairs as soon after the war as the necessary examination of the constitutional, financial, and administrative questions involved could be completed.

In December, 1943, as a result of this announcement, the elected members of the Council of Government convened a National Congress which held its first meeting in February, 1944, with the object of calling a National Assembly to draft a new constitution. This Assembly held its first meeting in January, 1945, and some six months afterwards appointed a committee to frame the constitution. Progress, however, was slow, and in September, 1945, it was announced that the British Government had decided, with the object of hastening matters, to appoint a Commissioner to visit Malta to discuss, in consultation with representative opinion, "the formulation of detailed proposals regarding the form of the new constitution and any other matters bearing on the grant of responsible government." Sir Harold MacMichael was appointed to this office in January, 1946, and arrived in Malta on May 4. Discussions were conducted over a period of four months.

On January 20, 1947, Sir Harold MacMichael's report* was published, together with a statement of policy† by the British Government. The form of government envisaged follows closely that proposed by the Malta National Assembly. The British Government has, however, suggested certain amendments which have still to be considered in Malta. The constitution is expected to provide for an elected Legislative Assembly and a Cabinet of Ministers resembling the British system. Franchise for all men and women at the age of 21 has been agreed to, and women will be eligible for election to the legislature. While securing full internal self-government to the Maltese, this constitution would continue to place responsibility for defense and external affairs in the hands of the British Government.

An essential consideration in planning the restoration of self-government to Malta has been the financial situation of the island, for Malta is faced with a heavy program of reconstruction and restoration of war damage. In accordance with the principle that effective self-government must be based on a sound economic foundation, special measures have therefore been taken to ensure that the new constitution shall not be unduly handicapped at the outset by financial burdens resulting from the gallant part played by the island in the war. In November, 1942, Britain made available £10,000,000 (\$40,000,000) as a gift to Malta for restoring war damage, with a promise that further assistance would be forthcoming later if this sum were not sufficient. A further grant has now been made, bringing the total sum available to £31,000,000 (\$124,000,000). Special legislation has also been enacted to enable Malta to continue to receive

* *Malta: Report of the Constitutional Commissioner* (Colonial No. 207). London, H. M. Stationery Office, January, 1947. Price 10 cents.

† *Malta: Statement of Policy on Constitutional Reform* (Cmd. 7014). London, H. M. Stationery Office, January, 1947. Price 10 cents.

assistance under the *Colonial Development and Welfare Act* (which does not normally apply to self-governing Colonies) and a sum of £1,000,000 (\$4,000,000) has been allocated to her under this Act. Certain immediate and temporary financial help will also be forthcoming.

Malta's political future is, to a great extent, conditioned by her geographical position. Her past history makes this obvious and her share in the late war underlines it. Her defense must remain an Imperial responsibility, but full internal self-government will, it is hoped, be achieved in the near future.

IV. GIBRALTAR

Since Gibraltar became a British possession in 1704 it has been primarily a fortress and naval station. The Governor of the Colony is the Commander-in-Chief of the Garrison, and up to 1945 all power of legislation was vested in him. An Executive Council to assist the Governor was created in 1922, and was composed of four official and three nominated unofficial members.

In November, 1945, the Secretary of State for the Colonies announced that Gibraltar was to have a Legislative Council for the first time. This was to be created as soon as circumstances would permit, but in any case not before all the evacuees had returned. Gibraltar, however, remains a fortress and because of this, it will be necessary for the Council to have an official majority, though it may include elected as well as nominated unofficial members.

Since 1921, the town's affairs have been managed by a City Council of four elected members. At the end of 1944, it was announced that this Council was to be enlarged to comprise seven elected and six official members, and that an Advisory Council was to be set up to include all members of the reformed City Council as well as the Colonial Secretary and the Attorney-General. Elections to the City Council took place in July, 1945.

V. CYPRUS

In 1878, Cyprus, which was then part of the Turkish Empire, came under British administration by an agreement whereby Britain undertook to assist the Sultan in the defense of his Asiatic territories. When war broke out with Turkey in 1914, Cyprus was formally annexed to Britain, and in 1925 it was declared a Crown Colony.

Before the British occupation, government had been despotic. The mass of the people were illiterate and there was no tradition of self-government. In 1882, however, a constitution based on the electoral principle was introduced. This provided for a High Commissioner with an Executive Council, and a Legislative Council with six nominated official and 12 elected members. In 1925, when Cyprus became a Crown Colony, the office of Governor was substituted for that of High Commissioner, and

the Legislative Council was enlarged by the addition of three official and three elected members.

Among the Cypriots of Greek descent, who form about three-quarters of the population, the idea of union with other Greeks on the mainland has held a strong attraction since before the British occupation. Britain did, in fact, offer the island to Greece in 1915, but the offer was refused. The Greek Nationalist Party, strongly influenced by the Orthodox Church, continued none the less to agitate. Their demand was vigorously opposed by the Cypriots of Turkish descent, who compose most of the remainder of the population and who have been established in the island for centuries. In 1931, agitation culminated in disturbances throughout the island, as a result of which the Government was reconstituted. The Legislative Council was abolished, and power of legislation was entrusted to the Governor. The Executive Council was retained. At the same time, the leading agitators, who included two of the island's three Orthodox Bishops, were exiled.

In recent years, however, while the movement for union with Greece continues to play an active part in the political life of the island, it has been possible to make good progress in rebuilding democratic institutions. In 1943, municipal councils, elected by adult suffrage, were restored, and in 1945 a plan was published for extending a similar scheme to rural areas. The successful working of these councils was intended to pave the way to the restoration of the Central Government.

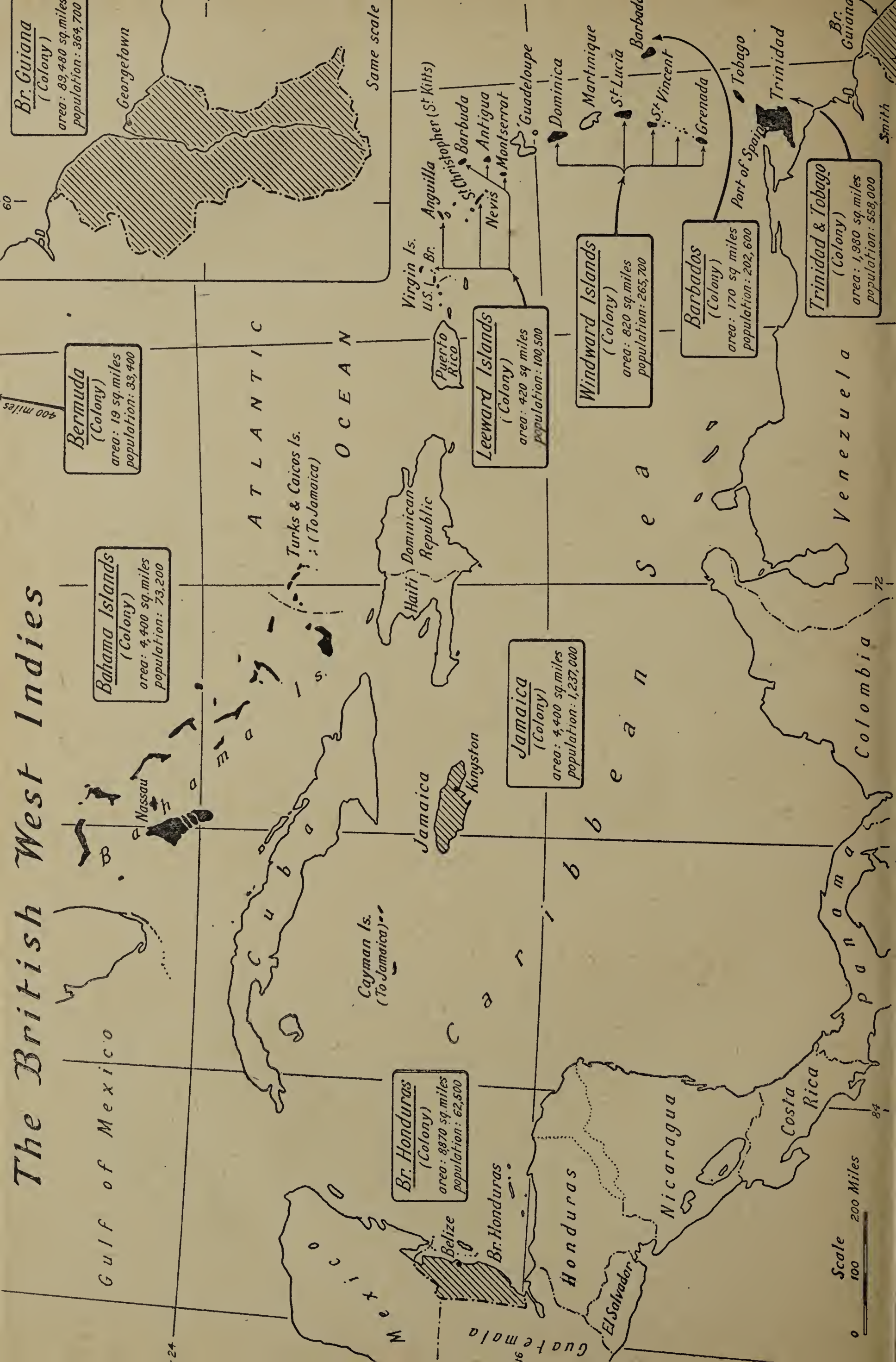
This step is now to be taken. In October, 1946, Mr. Creech Jones, Secretary of States for the Colonies, announced in Parliament that the Governor of Cyprus would be asked to call a Consultative Assembly, drawn from the representative elements in the island, to frame proposals for constitutional reform, including the re-establishment of the central legislature. The desired result is the creation of a council which will bring representatives of the Cypriot people into full consultative government in the conduct of their local affairs.

Mr. Creech Jones also stated that laws passed in 1937 affecting elections to the Archbishopric of the Church of Cyprus would be repealed. It is hoped that as a result the See, which has been vacant for some years, may again be filled so that the Church may resume its full spiritual authority and influence. The leaders of the 1931 disturbances are also to be allowed to return to the island.

VI. THE WEST INDIES

Scattered across the Caribbean Sea lie the islands of the British West Indies, the most important among them being Jamaica, the Leeward and Windward groups, Barbados, and Trinidad. British Guiana in South America and British Honduras on the mainland of Central America, and the Bahama Islands which fringe the Atlantic Ocean from the coast of Florida to Cuba and Haiti, are also customarily included in the West Indies for purposes of a political survey, although geographically the inclusion of these three Colonies is inexact.

The British West Indies



POLITICAL AND ECONOMIC VICISSITUDES THROUGH THE LAST 300 YEARS

The history of the West Indies during the seventeenth and eighteenth centuries is the story of a phenomenal rise in economic prosperity accompanied by very wide powers of self-government for European settlers, followed in the nineteenth century by a steep economic decline which resulted, in nearly all the Dependencies, in the loss of self-government and the substitution of direct political control. The third part of the story which we can see today is of another rise towards self-government.

In the early days, the West Indies enjoyed great prosperity as producers of sugar and the European planters, through elected legislatures closely resembling those of the Colonies on the North American mainland, managed to a considerable extent their own local affairs. In 1833, came the emancipation of the slaves who had been imported to work on the sugar plantations. This caused an acute scarcity of labor and, coupled with the gradual abolition of tariff preferences in the British markets, brought the West Indies perilously near to bankruptcy. With the loss of their position as the principal suppliers of sugar to Europe, there developed widespread poverty and all that goes with poverty—bad housing, lack of adequate health and educational services, and the like. This situation was to become prevalent also in the territories under Dutch, French, and American jurisdiction.

Social and economic changes brought about by the deteriorating position of these Colonies had a disorganizing effect on the Legislatures, which became less and less representative and increasingly irresponsible and made it almost impossible for the Colonial Governments to discharge their financial responsibilities. Power divorced from responsibility was disrupting the whole political framework. The British Government decided to replace in almost every territory the existing system by a system of government under which a Governor, with the advice of a nominated council, was responsible for all acts of government to the authorities at home.

POLITICAL REVIVAL

Perhaps the most significant feature of the new rise of the West Indies in the political scale is that the population which is now being vested with increasing responsibility is not, as in the old days, a small group of white planters and overseers, but a population more than 80 per cent of whom are the direct descendants of the original slaves.

These people, many of whom must be trained in political responsibility, are also desperately in need of better social and economic conditions. As a result of the recommendations of a Royal Commission which visited the West Indies in 1938, and with grants from the funds made available under the *Colonial Development and Welfare Act*, a strenuous attack is being made on malnutrition and disease.

Some form of political federation in the British West Indies has long been under discussion, both locally and in Britain. The object would be to create a political unit sufficiently large and diverse to be capable of self-government in the modern world. The British Government has, however, always emphasized that such political unity must develop from within

the communities themselves. From the diversity of social organization, of political development and of historical tradition, has grown a strong local pride, leading to a concentration on local interests. But more recently a realization of the advantages of federation in economy and efficiency has been steadily growing.

In recent years, the question of federation was raised by the Royal Commission of 1938 which took the view that policy should in the long run be directed to this end. In March, 1945, the Secretary of State for the Colonies proposed to the Governors that the question should be discussed in the local legislatures. In March, 1946, the matter was carried a step further in a dispatch from the Secretary of State to the Governors of the Windward and of the Leeward Islands outlining proposals, to be considered locally, for a federation of these two groups, a suggestion already made in 1938 by the Royal Commission, as a practical test of the advantages of federation.

The attempt to bring about a wider outlook has received great impetus from the advisory body named the Caribbean Commission, which provides a means for co-operation and consultation between the British, American, French and Dutch territories over the whole social and economic field—a most hopeful method of bringing about the improved social and economic conditions essential to full political maturity.

Meanwhile, political progress is being made. During the war there were a number of constitutional advances. The most significant, of course, was the new constitution for Jamaica, but there were several others which, though small in themselves, are important. Thus, in British Honduras, and Barbados women have been given the vote, and in Barbados there has been a substantial reduction in the franchise qualifications.

In Trinidad and Tobago, elected members now have parity in numbers in the Legislative Council with the official and nominated unofficial members combined, and the introduction of universal adult suffrage was approved in 1944. In British Guiana, the elected members of the Legislative Council now have a decisive majority over the official and the nominated unofficial members combined, and a very substantial reduction in the franchise qualification was approved in 1944.

What was the prelude to these changes?

JAMAICA

17TH CENTURY CONSTITUTION BASED ON THE NORTH AMERICAN MODEL

At the time of its capture from Spain in 1655, the island of Jamaica, although it had been occupied by the Spanish for 150 years, had never really been settled by them. For a few years the British Government kept it under military control, but by 1663 an elected House of Assembly was in being, together with a Council of nominated members which acted both as a Privy Council and (during sittings of the Assembly) as a Legislative Upper Chamber.

This constitution, modeled on the constitution introduced into the North American Colonies, served, with variations to suit local conditions,

for the other West Indian Colonies also, and an eighteenth-century historian of Jamaica has described the island's constitution in terms which, in the main, apply to the others: "It is composed of three estates, of which the Governor (as representing the King) is head. Having no order of nobility here, the place of a house of peers is supplied by a council of twelve gentlemen appointed by the King; which, in our system of legislature, forms the upper house. The lower house is composed (as in Britain) of representatives of the people, elected by the freeholders."

DISCORD BETWEEN CROWN AND LEGISLATURE CULMINATING IN CROWN COLONY RULE

The phrase "as in Britain" was one of the rocks on which Jamaica's constitution foundered. The members of the first Assembly, Englishmen whose sympathies in England's Civil War were strongly on the side of the rights and privileges of parliamentary government, assumed that the Jamaica Assembly would have similar powers. One of their first steps, therefore, was to establish, and maintain for the next 200 years, control over the raising and spending of all revenue. Difficulties inevitably arose between the Governor responsible to the British Crown for the administration, and a legislature so securely in control of finance that no proposal for the expenditure of public money could be made except in the Assembly. This division of responsibility proved fatal. So great was the discord created that the Assembly (whose full term of office was seven years) was dissolved no less than eight times between 1702 and 1711, while in 1785 it met and was dissolved three times in three months.

The emancipation of the slaves, consequent on the 1833 abolition of slavery, called for drastic social and economic adjustments which the European population of Jamaica were reluctant to make. Attempts to relieve the constitutional impasse were made on several occasions only to be rejected by the Assembly, ever jealous of its financial privileges. In 1865, a situation, politically hopeless, was inflamed by riots among the Negro laboring classes, caused partly by opposition to the West Indian planters and partly by the increased price of food. The riots were put down and martial law declared. The Governor wrote to the Secretary of State for the Colonies: "The real truth is that the people are not fit to elect legislators and there are few persons in the island fit to become legislators." Members of the Assembly, at length aware of the need for drastic constitutional reform, agreed to surrender their powers, and in 1866 the Legislature was dissolved and a Legislative Council consisting entirely of officials and nominated members was set up in its place.

A START IS MADE

This might have been the end of Jamaica's responsibility for its own government. It was, in fact, only the beginning. In 1883, at the request of the people, nine elected members had been added to the Legislative Council. In 1885, a Local Government Act established elected boards to deal with internal local affairs. In 1895, the constitution was amended to provide for a Legislative Council presided over by the Governor and composed of five official members, not more than ten nominated members and

14 elected members, one for each of the parishes into which the island had been divided. The vote of nine of the elected members could secure the rejection of any financial proposal, and that of all 14 of any other proposed legislation. The Governor retained the right of overriding them in cases of absolute necessity, a right which was very rarely used.

Since that date, although constitutional reforms have been discussed, no change was agreed upon until shortly before the outbreak of the last war. Meanwhile, in 1919, the franchise qualifications were reduced from the low level fixed in 1884 to an even lower level. Men paying 10s. (\$2) a year in taxes on real property or 30s. (\$6) a year on personal property, or having an income or salary of £50 (\$200) a year, were entitled to vote. Jamaican women (the first of the West Indian women to be admitted to the franchise) qualified for the vote on a similar income or salary minimum but a higher rate of taxes—namely £2 (\$10) a year. The age qualification was 21 for men and 25 for women.

In May, 1939, the Legislative Council appointed a committee of elected and unofficial nominated members to draft proposals for a reform in the existing constitution, thus giving effect to the words of the Secretary of State for the Colonies when he said that “the people themselves have been asked to suggest the constitutional machinery which they desire.” The resulting proposals, which were submitted to the Colonial Office and led to an interchange of views between that Office and the recognized spokesmen of the Colony, contained the opinions of the elected members of Jamaica’s Legislative Council and of two influential organizations, the People’s National Party (which had a member on the Legislative Council) and the Federation of Citizens’ Association.

PROPOSALS FOR A NEW CONSTITUTION: AN IMPORTANT ADVANCE TOWARDS INTERNAL SELF-GOVERNMENT

Discussion of the Jamaica proposals and of counter-proposals, based on the recommendations (made public in 1940) of the Royal Commission which visited the West Indies in 1938-39, continued until the early months of 1943. On February 23, through the Secretary of State, the British Government proposed to Jamaica a new constitution with a two-chamber legislature consisting of a House of Representatives of not fewer than 24 elected members and a Legislative Council with a strong unofficial majority consisting of three official and 12 unofficial members, each body to elect its own presiding officer.

Members of the House of Representatives, elected by universal adult suffrage, represent constituencies set up on the basis of the recent census in order to ensure equal representation of all parts of the island. This constitution came into force in November, 1944.

The ancient Privy Council has been replaced by an Executive Council, but a Privy Council is retained to advise the Governor on matters relating to the Royal Prerogative.* The Executive Council consists of ten members

* The Royal Prerogative is the power still vested in the Crown by virtue of the common law of England. The prerogative permits the Crown to legislate directly for a Colony. Such laws are embodied in Orders in Council. In practice, the powers of the Crown are exercised by the Secretary of State for the Colonies, subject to the supreme control of the Cabinet.

presided over by the Governor. Five of them are elected by the House of Representatives from among its own members and five (three of whom are officials) are appointed by the Governor from the members of the Legislative Council. The Executive Council, which prepares the budget and initiates all money and other bills, is responsible for the administration of the Government and is the principal instrument of policy.

The Governor retains certain reserve powers:

(1) The power of veto, that is to say, the power to refuse assent to a Bill.

(2) Authority to give the force of law to a Bill, resolution, motion or vote, which he considers necessary in the interest of good government but which is rejected by the Legislature or passed by them with amendments of which he is unable to approve.

As regards (1), the power of veto, the Secretary of State observed that, "Under every Colonial Constitution without exception, when a Bill is presented to the Governor for his assent on behalf of His Majesty, the Governor has a discretion to assent, to withhold his assent, or to reserve the Bill for His Majesty's pleasure.* Any fetter expressly imposed by constitutional instrument upon this discretion would be without precedent in the Colonies. Indeed the legal position is the same in the self-governing Dominions, though in their case the practice is, of course, dependent upon principles of constitutional usage. I should see no objection to an understanding that, on the rare occasions upon which the Governor is not prepared to assent to a Bill, he should in practice either reserve it for His Majesty's pleasure, or, before refusing assent consult the Executive Council, and, if they do not agree, the Secretary of State. . . ."

As regards (2) the Secretary of State explained that at this stage some power must be provided to meet the rare and unpredictable occasions when the public interest demands action which the Legislature might be unwilling to take; and it was decided that this reserve power should be exercised by the Governor in accordance with the advice of the Executive Council; that its exercise should be considered only on the written request of the Governor; that any decision to exercise should be reported immediately to the Secretary of State; and that except in cases of urgency it should not be exercised without the Secretary of State's prior approval.

In order to provide an embryo ministerial system, a number of Committees have been set up in the House of Representatives to deal with (a) General Purposes, (b) Agriculture, (c) Education, (d) Social Welfare, and (e) Communications. The members of the House elected to the Executive Council are separate and distinct from the Chairmen of the above-mentioned Committees, who form a General Committee for the control of the internal affairs and business of the House. The Chairman of this General Committee is regarded as the Leader of the House. This constitution marks a very real step forward. It is to be given a five years' trial and the position will then be reviewed in the light of the experience gained and with a view to establishing a government which approximates even more closely to autonomy. Meanwhile, through their own votes and their elected members in the House of Representatives and on the Executive Council, all

* *i.e.*, to refer the Bill back to the Secretary of State for the Colonies.

sections of the community are assuming a very considerable measure of responsibility for the government of their country.

The political problem in Jamaica, as in other West Indian Colonies, was the adjustment of the existing political and economic status of the original white settlers to the political and economic aspirations of the large colored populations descended from the emancipated Negroes. In the early stages after the emancipation, economic decline led to political decadence, and Britain in many cases, assumed closer control in order to stabilize the Government and protect the rights of the unorganized and uneducated colored communities.

With advances in education and economic status, the Negro descendants have acquired a very considerable share in the work of administration and have become integrated into the community. The crux, however, lies in the power of legislation. To develop a wider sense of responsibility and acquire experience in the co-operation and compromise essential to wise legislation, political risks have to be taken which the original communities are often reluctant to agree to.

The new Jamaica Constitution is an example of the British Government's realization that in the final stages of political education "learning by doing" is the best, in fact the only, method.

BARBADOS

The Barbados Assembly, which comes next in seniority to the Bermudan, was established in 1639. The Legislature today consists of the House of Assembly with 24 elected members and the Legislative Council with nine nominated members. The Governor has no power to authorize measures which have not previously been approved by both Houses of the Legislature but, as in all Colonies, his assent is required before a Bill can become law.

Executive power rests with the Governor who has the advice of a small Executive Council and in certain matters is assisted by an Executive Committee. The members of this Committee (one from the Legislative Council and four from the House of Assembly, together with the members of the Executive Council) form with the Governor a body for the transaction of financial and other public business. The Committee acts as a link between the different branches of the administration, for its members advise the Governor on measures to be brought by the Executive Council before the Legislature. It is also responsible for initiating money votes in the Assembly and preparing the Estimates.

In October, 1946, the retiring Governor, in proroguing the Legislature, put forward certain proposals for altering constitutional procedure. These are tentative and experimental, and depend upon the general assent and co-operation of the House of Assembly. No legal alteration of the constitution is involved. The proposals are that the new Governor shall send for the person who seems to him best able to command a majority in the House and ask him to submit names from the House for membership of the Executive Committee. Members of the Executive Committee would then be asked respectively to take charge of the general policy relating

to particular Government Departments for the purpose of dealing with the affairs of these Departments in the Executive Committee and in the House of Assembly. The Executive Committee would then, in practice, cease to be merely a number of individuals nominated by the Governor to advise him, and would become an effective organ of Government accepting collective responsibility for policy, although the Governor must, under the Constitution as it is at present, still retain ultimate responsibility.

The 1943 reform which gave women the vote on equal terms with men, also reduced the freehold property qualifications for electors from a yearly value of £5 (\$20) to £2.10s. (\$10), and the income qualification from £50 (\$200) to £20 (\$80) a year. As a result, the majority of agricultural laborers were able to vote in the elections held in November, 1945.

TRINIDAD AND TOBAGO

When Trinidad was ceded to Britain by Spain in 1797, the British Government decided that it would not be appropriate to introduce an elected Assembly on the model of the British settlements in North America and other West Indian dependencies. This decision was chiefly due to a desire to protect the interests of the colored inhabitants by vesting sole authority in the Crown. Gradually, however, the Government of the Colony assumed a more representative form. In 1801 the Governor appointed five prominent residents as a Council of Advice. In 1831, this Council became the Executive Council and, for the first time, a nominated Legislative Council was established. The island of Tobago became part of the Colony in 1889. There were no elected members on the Legislative Council until 1924 when provision was made for seven elected members, six nominated members and 12 official members. In 1941, an amendment to the Constitution made provision for nine elected members and reduced the number of official members to three, the Colonial Secretary, the Attorney-General, and the Colonial Treasurer. In 1944, the Franchise Commission recommended that universal suffrage should be introduced, that women should be eligible for election to the Legislative Council, and that the income qualification for membership should be substantially reduced. The Secretary of State approved these proposals and an Order in Council amending the constitution was published in September, 1945. The new constitution came into force in March, 1946, and elections were held in July.

BRITISH GUIANA

When British Guiana was ceded to Britain in 1814 by Holland, the old Dutch constitutional machinery was retained. It consisted of a Court of Policy whose members, with the Governor, undertook the functions normally performed by an Executive Council and Legislature; and a Combined Court which with the Governor, members of the Court of Policy and certain financial members, was responsible for questions of finance and taxation. Apart from the remission of certain taxes resulting from the emancipation of the slaves, there were no changes until 1892 when the administrative functions of the Court of Policy were transferred to an Executive Council,

the Court retaining its legislative powers. The year 1928 saw further changes, the outcome of the recommendations of a parliamentary commission which had investigated conditions with a view to ensuring a more rapid development of the Colony and of promoting the well-being of the people. The recommendations led to the substitution of a Legislative Council for the Court of Policy and the Combined Court, the Legislative Council consisting of ten official members, five nominated members and 14 elected members. The 1943 amendment to the constitution, by reducing the number of nominated and official members from 15 to ten, gave the elected members a majority of four over the official and nominated members combined.

In 1944, the Franchise Commission recommended a very substantial reduction in the qualifications necessary for membership of the Legislative Council and for the franchise, and its proposals have been approved by the Secretary of State. These changes will extend the vote to large sections of the manual laboring population. Elections on this basis will be held in 1947. The Secretary of State has announced that he will be prepared to consider in five years' time from the new elections a request from the Legislative Council or some other representative *ad hoc* body for universal adult suffrage.



THE NEED FOR SOCIAL AND ECONOMIC DEVELOPMENT IN THE WEST INDIES

It will be seen, therefore, that all these changes are the logical development of constitutions all of which are steps to the same goal—responsible self-government. The speed of the advance has been hampered in varying degrees by social and economic difficulties. The administrations are now largely staffed by West Indians themselves, but education and social welfare in its broadest sense for large sections of the population still lag far behind the standard of the most advanced section. Educational advance and economic development were called by a former Secretary of State for the Colonies “the twin pillars upon which any sound scheme of political responsibility must be based.” It is in their attainment that the future of the West Indies lies.

VII. BERMUDA

With the exception of the House of Commons the Bermuda Assembly is the oldest legislative body in the overseas empire. Its constitution, like those of Barbados and the Bahamas, is a survival of the system which applied in the North American Colonies before the Revolution, and which afterwards in Canada and later in Australia, New Zealand, and South Africa, broadened out until it made complete independence within the Commonwealth a working possibility.

“Upon the first of August” (1620) wrote a contemporary historian of

the Bermuda Assembly, "began the general assembly at the towne of Saint George which was the first these Iles ever had; consisting, as is said, of the Governor, Councell, Bailiffes, and Burgesses, and a Secretarie to whom all bills were presented and by him openly read in the house, also a clerke to record the acts, being 32 in all; 15 of which being sent into England were by generall consent received and enacted."

Bermuda retained a single Council longer than any of the West Indian Colonies and it was not until 1888 that Executive and Legislative Councils were set up. Four officials serve on the Executive Council—the Colonial Secretary, the Attorney-General, the Colonial Treasurer, and the Senior Military Officer. In addition, there are three unofficial members. The Legislative Council consists of three official and six nominated unofficial members, and the House of Assembly of 36 elected members. The 1944 reforms which gave women the vote on equal terms with men also rendered women eligible for election to the Assembly.

The Bermuda Constitution amounts to something approaching full internal self-government, although it is not responsible government in the constitutional sense. The final say in matters of legislation and finance—in Barbados and the Bahamas as well as in Bermuda—rests, however, for practical purposes with the Legislature.

VIII. BRITISH TROPICAL AFRICA

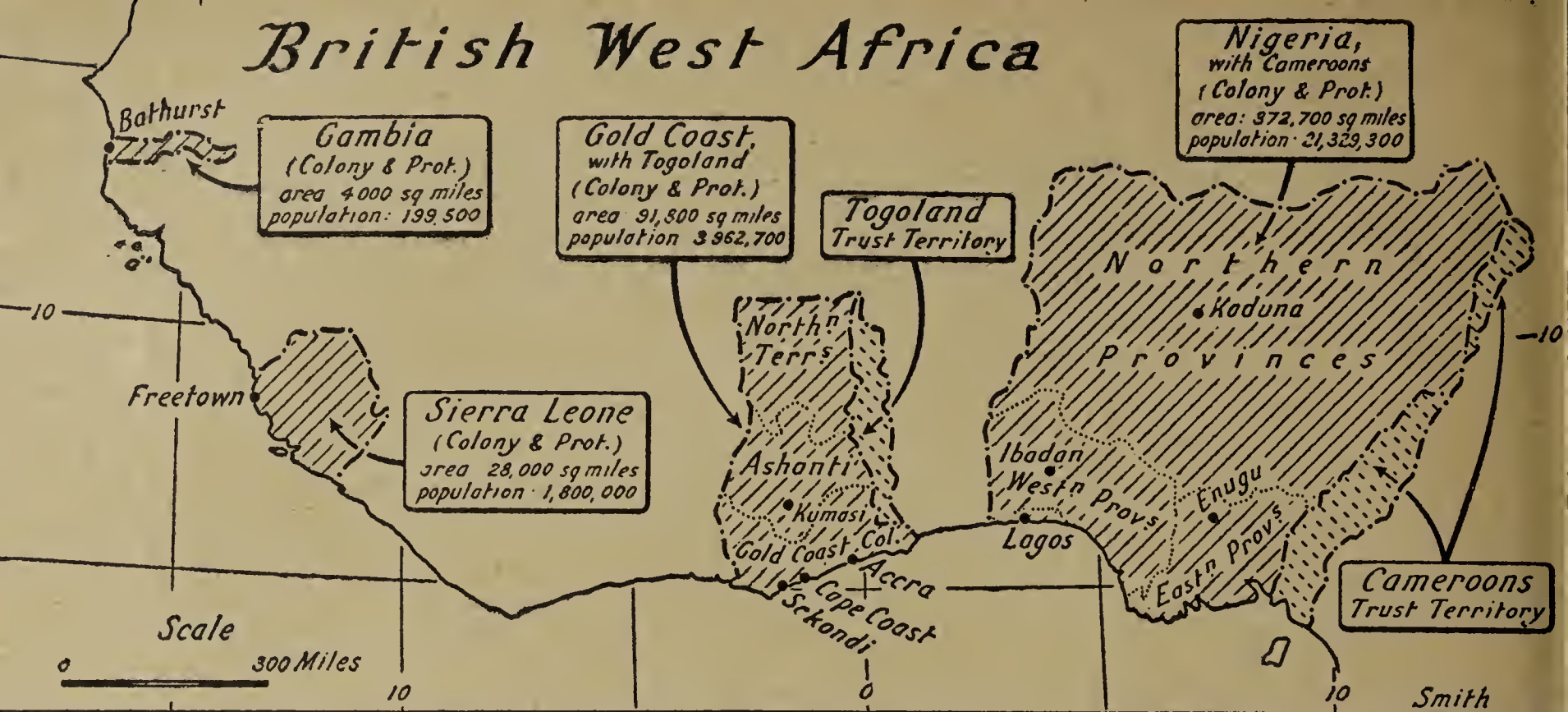
SOME PROBLEMS WHICH HAVE HINDERED PROGRESS

By far the largest land area of the British Colonial Empire is occupied by the Dependencies in East and West Africa, which also possesses the greatest mass of population. On the east of the continent lie Kenya, Uganda, Nyasaland, Northern Rhodesia, Zanzibar, British Somaliland, and the Trust Territory of Tanganyika occupying an area of over a million square miles and supporting a population of some 16 millions. On the west lie the Gambia, Sierra Leone, the Gold Coast, Nigeria, and the Trust Territories of Togoland, and the Cameroons with a much smaller area—less than 500,000 square miles—but supporting a population of 26 millions.

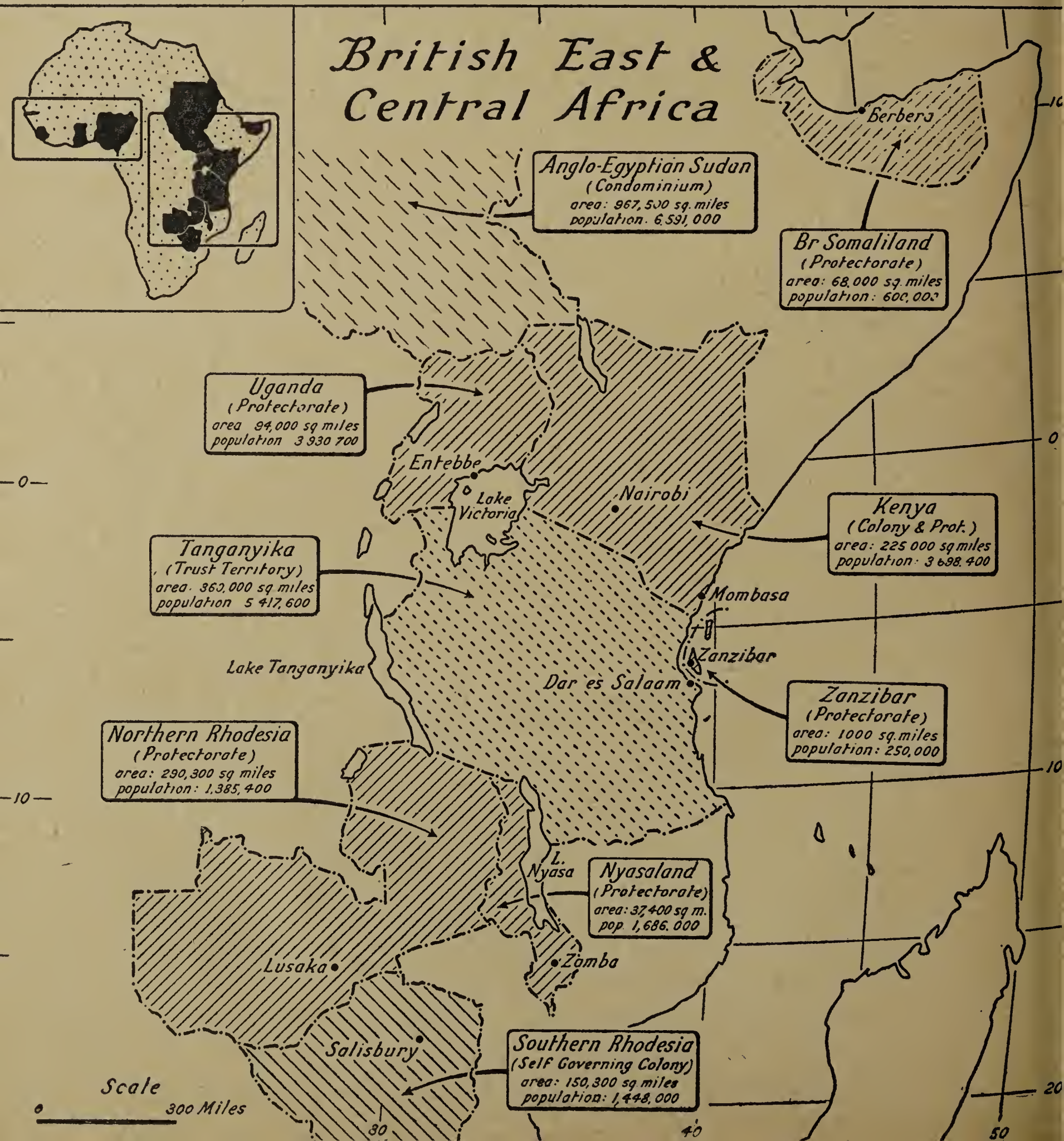
The peoples of Africa have different racial origins and histories, and they present a bewildering complexity of language, religion and custom. It has been reckoned that there are in Africa no less than 700 spoken languages, between two and three hundred of which have been reduced to writing since the coming of the white man. Within the four British West African Dependencies alone there are 40 distinct tribal groups speaking as many different languages, together with innumerable smaller tribes each with its own dialect.

The wide differences existing even in a single territory have meant that no one form of government which would be both workable and acceptable to the people could be devised. Indirect Rule, which has been introduced into all the African territories, follows many patterns but has only one aim—to educate Africans to play an ever-increasing part in the management of their own affairs. Africans are also beginning to take a share in the government of their country as a whole.

British West Africa



British East & Central Africa



NIGERIA AND INDIRECT RULE

THE MEANING OF INDIRECT RULE

Indirect Rule is sometimes called Local Native Administration. The Chiefs and their Councils, under the guidance of British officials, learn to rule according to enlightened standards of humanity and justice but within the framework of their own tribal or state organizations. As their capabilities are proved, so are they entrusted with a growing measure of responsibility for the welfare of their people. Just as these Chiefs and their Councils are trained to a greater measure of responsibility, so their tribal organizations, the ancient systems of government, are used as the stock from which modern administrations can be developed. Such a system ensures that the traditional Native Authority, even after the impact of European civilization, is never divorced from responsibility for the welfare of the people.

ITS INTRODUCTION IN NIGERIA

Nigeria, where Indirect Rule was first introduced, is the largest of the British West African Colonies. It had a late nineteenth-century origin, for it was not until 1879 that British commercial undertakings were consolidated into a Company which established stations in the interior. By this time the French were staking claims in a southeasterly direction from Timbuktu, and the ultimate line on which the Anglo-French border would rest thus depended on a Company which frequently found itself in conflict with the warlike Moslem rulers of Northern Nigeria. In 1900, therefore, the Company's charter was withdrawn and its sphere of operations reorganized as the two Protectorates of Northern and Southern Nigeria. In 1906, the Colony of Lagos was combined with the Protectorate of Southern Nigeria, and in 1914 the Northern and Southern Protectorates were amalgamated, the whole being designated the Colony and Protectorate of Nigeria, with Lagos as the seat of Government. In 1923, part of the ex-German dependency of the Cameroons was placed under British mandate and has since been administered with Nigeria. In December, 1946, it became a Trust Territory, administered in the same manner by Britain under the United Nations Trusteeship System.

The Protectorate is divided for administrative convenience into three areas each under a Chief Commissioner who is directly responsible to the Governor. These three areas, designated the Northern, Eastern, and Western Provinces, consist of groups of Provinces each under a British official known as a Resident and the Provinces in their turn are divided into Divisions each in charge of a District Officer with a staff of Assistant District Officers. The work of these European officers, and there are not very many of them, is to maintain and develop the structure of native society and to create within it a self-reliant African civilization.

HOW IT WAS EVOLVED

The development of this policy of Indirect Rule, and the ideal of African self-development which it was intended to foster, we owe to the genius of one of Britain's greatest Colonial administrators, Colonel (afterwards Lord) Lugard. When the slave trade on the West African coast was finally mas-

tered during the 1870's, the way to peace and progress was still barred; in the north of Nigeria by the powerful Mohammedan emirates, where civil war and slave raiding were rife and where a strong ruler only too often lived by war, plunder, and oppression of his subjects; and in the southwest by a group of States where internecine war was common and religious rites were practised which demanded human sacrifice. In the early years of the present century, Lugard subdued, or came to terms with, these rulers and set himself the task of teaching them to govern in reformed and constructive ways. Although in the first years Lugard was responsible only for the northern half of this gigantic territory, then called Northern Nigeria (Nigeria covers a total of some 373,000 square miles, including the Cameroons, with a population today of over 21 millions), it was obvious that he could not hope to control it, with the very small number of British officers at his disposal, by direct means such as had proved practicable in British India. He turned, therefore, to an expedient which would utilize to the full the services of his British officers and would also give the African people, through their own rulers, the maximum opportunity for development.

INDIRECT RULE IN ACTION

The initial step in the introduction of Indirect Rule is to identify the traditional authority, which may be a Chief or a Council or a combination of both, whom the people recognize and obey, and to give formal legal recognition to this as a "Native Authority" with specific administrative powers. In some districts this has been a simple matter but in others, where a preliminary system of direct government or successive waves of conquest or migration had submerged all trace of traditional leadership, direct rule has been necessary until traditional rule could be revived. "The allegiance of a people to a tribal head freely and spontaneously accorded without external cause," declared Sir Donald Cameron, who sponsored Indirect Rule in Nigeria and introduced and developed the system in Tanganyika, "is the very essence of true indirect administration. . . . If the people are not prepared to accept the orders of the so-called authority unless we compel them to do so, then of course the administration is not indirect and the Native Authority set up on such a basis is a sham and a snare."

THE IMPORTANCE OF NATIVE TREASURIES

Just as the constitutions which Britain introduces into the Dependencies vary according to the needs of the people, so does Indirect Rule vary in its application. The smallest and most backward unit may be little more than a group of villages. Here will be found an elected Headman and a council of village elders conducting their own court and trying simple cases according to their own customs. Under the direction of the District Officer these people learn that, out of the money which they pay in taxation, social and economic amenities are provided for the village or collection of villages which form the unit. As soon as they are ready for it they are given a Native Treasury which is their responsibility and which they staff themselves. Court fees, market dues and other local sources of revenue are paid

direct into this Native Treasury together with a proportion of the money raised by the annual direct tax, the whole to be expended on maintaining their own social and other services and on schemes for development. As their capacity increases, so their share of this annual tax, which forms their principal source of income, is increased and with it the duties which they are expected to perform. In certain areas, such as the great Moslem emirates of the north and the Yoruba kingdoms of the west, will be found rulers of sometimes as many as 1,000,000 people, and there the District Officer's role is confined to consultation and advice.

In every area, backward or advanced, the principle is the same—education towards self-rule, the practice being to allot to the Native Authorities rather more responsibility than they might at first be expected to take and to assist them to profit by mistakes they may make. The understanding that Native Authorities can direct the expenditure of their own money gives a tremendous impetus to plans for social and economic development, with the result that many of them today play a full and responsible part in the conduct of their own affairs, introducing schemes for sanitation, markets, road and bridge building, the opening of schools and hospitals, health measures, new crops, and a score of other duties.

INDIRECT RULE IN THE EMIRATES OF THE NORTHERN PROVINCES: NATIVE TREASURIES AND TAXATION

It was in the north of Nigeria that Indirect Rule was first introduced. Here among 38 emirates lie the important States of Kano (with a population of nearly two million), Sokoto (with one and a half million), Katsina, Zaria and Bornu whose Emirs are the acknowledged leaders of their people. Before the experiment began there were already in existence the bases of administrative and taxation systems, Moslem courts of law, and the makings of a professional class in the *mallams*—men educated in Moslem law and scripture. The Native Treasuries then, as now, were the focal point of the organization and handled revenue and expenditure. But they were run on very different lines. Forty years ago, with no organized accounting for expenditure, they served as little more than receiving houses for such revenue as managed to reach the Emir's coffers. Today the Emir's salaries and the expenses of the administration are met from Native Treasury funds, and the organization is run on up-to-date and efficient lines. The proportion of the income raised by direct taxation handled by the Native Treasuries varies from 50 to 80 per cent and is supplemented by court fees and fines. In 1911, the combined revenue resources of the Native Treasuries of the Northern Provinces was £197,296 (\$986,480); by 1929 it had risen to £1,683,567 (\$8,417,835). When the expenses of the administration have been met, every penny of this money is available for social and economic services.

The extent of the financial control exercised by the Emirs and their councils is considerable, and even in the most backward districts, where the District Officer still has to shoulder the lion's share of responsibility, the people are learning to control their finances. The District Officer may, for example, assess the amount of direct tax payable per head of the population of a village unit as 7s. (\$1.40) for each able-bodied man, but since

the incidence of the tax at this level might lead to certain inequalities he leaves the actual computation to the village elders. They may decide that one man, having done well with his crops and his livestock, can afford to pay 9s. (\$1.80) instead of 7s. (\$1.40), while another, who has had a poor season, cannot afford more than 5s. (\$1). Each man's income is, therefore, assessed separately but the final computation will tally with the total sum to be collected from the unit. The agreed assessment is approved, first by the village Headman, then by the district head and is finally submitted to the Emir. In this way the administrative chain which links the village to the Emir is kept intact.

THE POWER OF THE NATIVE COURTS

Associated with the Native Authorities are the Native Courts in which the laws enforced conform to native law and customs in so far as they do not conflict with British ideals of justice and humanity. The majority of these Courts deal with petty civil and criminal work but some of the more important Native Authorities have Courts of the highest grade, with jurisdiction in capital cases, as the following account of the trial of a homicide case written by the Sultan (or Emir) of Sokoto will show:

"The charge is read over to accused who makes his plea and thereafter the witnesses make their statements and answer the questions of the Court. The whole proceedings are recorded verbatim by the Court Scribe. When the accused and his witnesses have made their statements all retire to let the Court consider its verdict. The Chief Judge, who is the Court's expert adviser on Mohammedan Law, is asked to state into what class of homicide this killing falls and what is the punishment that must be inflicted. He replies that there is no evidence of intent to kill, that the killing in this case is manslaughter and that the limit of punishment laid down by Koranic Law is the payment of compensation to the relatives of the dead man and imprisonment for one year. The Court accepts this opinion, the accused and witnesses are recalled and I pronounce judgment."

ACTION AFFECTING THE WHOLE AREA

The Sultan of Sokoto and his fellow Emirs have their own Ministers appointed either by them or by their predecessors. The Emirs also appoint the district and village heads who are responsible to them. The States function as separate units but their rulers come together on occasion to discuss matters of common concern. The Annual Conference of Chiefs (so called because in addition to the Emirs one or more Pagan Chiefs attend) has held regular meetings for a number of years. After a discussion on problems affecting their territories as a whole the members disperse to take individual action on the decisions reached. It is significant that whereas in 1930 a number of British officials attended the Conference to help and advise the members, today only one British official (the Secretary) is present and even he has an African "understudy" who will take over the work of Secretary as soon as he is qualified to do so.

RELATIONS WITH THE CENTRAL GOVERNMENT

Up to 1947 there was no representative of the Northern Provinces on the Legislative Council of Nigeria, although in the early days of the war a useful link was forged. An unofficial inner cabinet of five or six Emirs was set up to be convened prior to every meeting of the Council. Here the Emirs could discuss proposed legislation affecting their territories with the Chief Commissioner for the Northern Provinces, who embodied in his own speech to the Legislature any amendments they might suggest.

A determined attempt to interest the Emirs in direct representation on the Central Government was made by Sir Bernard Bourdillon, as Governor of Nigeria, in 1943. He visited them separately and explained the extensive nature of the powers over the finances of Nigeria as a whole (as opposed to expenditure from Native Treasury funds) that are exercised by the Finance Committee of the Legislative Council, which has a strong African majority. The realization that African members from the south could control the spending of money on behalf of the north was new to the Emirs who have since discussed the question in greater detail with British officials.

In a White Paper published in March, 1945,* proposals, which have now been adopted, for important changes in the Constitution of Nigeria were outlined by the Governor. These proposals include revision of the Legislative Council so that its scope shall extend to the Northern Provinces. To achieve this, a Regional Council of the Northern Provinces is being established, consisting of two Houses, the House of Chiefs and the House of Assembly. The Chief Commissioner for the Northern Provinces will preside over the House of Chiefs. All 13 first-class Chiefs will sit as of right. Second-class Chiefs are grouped provincially and one from each group will sit; out of a total of 29 second-class Chiefs there will be seats for about ten.

The House of Assembly consists of 19 official members (which include all the Residents and Deputy Directors of Government Departments) and from 20 to 24 unofficial members, the majority of whom are selected by Native Authorities and six by the Governor, to secure adequate representation of important groups of interests not otherwise represented.

These two Houses serve as electoral colleges from whose members representation on the Legislative Council of Nigeria is drawn. The House of Chiefs nominates four members from its own body and the House of Assembly nominates five. There will then be nine representatives of the Northern Provinces on the new enlarged Legislative Council which will consist of 45 members including the Governor. The Regional Council will at first have no legislative powers, but it will debate Bills before their submission to the Legislative Council, and will have the right to amend budgets.

INDIRECT RULE IN THE WESTERN PROVINCES: DIFFERENCES IN APPLICATION

In the north, where the population is predominantly Moslem, the respect for authority which the Moslem faith engenders is an asset in the

* *Proposals for the Revision of the Constitution of Nigeria* (Cmd. 6599). London, H.M. Stationery Office, March, 1945. Price 10 cents.

creation of a smooth-running administrative machine. In the pagan States of the Yoruba, Jukun and others of the Western Provinces the people are by nature far more independent and spirited. Here the rulers and their councils have acquired a very considerable measure of authority, although their powers do not yet approximate to those of the Emirs. The Oba (or ruler) has below him chiefs and village heads but, unlike the Emir, he does not necessarily appoint all these subordinates himself, many of them being the heads of important clans or the holders of various traditional offices. "Given a wise ruler and a good council," said Sir Bernard Bourdillon recently, "the Western Provinces Native Authority is capable of functioning admirably, with very little guidance, as has been amply proved during the manpower shortage of the war, but from the point of view of mechanical perfection it does not come up to the Northern Provinces machine." An annual conference of Chiefs of the Western Provinces has been held regularly since 1937, and is attended by the principal rulers. It is less advanced than the Northern Provinces Conference in that each ruler is still accompanied by the Resident of his territory.

Further progress is, however, being made. The Governor's proposals for constitutional revision in Nigeria published in March, 1945, include a proposal for the establishment of a Regional Council for the Western Provinces. This will consist of a single House of Assembly totaling 29 to 33 members, of whom 15 to 19 are unofficial. These unofficial members are persons of African descent domiciled in Nigeria, and include three Chiefs, seven to 11 Provincial members selected by Native Authorities and five members nominated by the Governor to represent aspects of life not otherwise represented. The Chief Commissioner for the Western Provinces presides over the House of Assembly. Its functions will be the same as those of the Northern Regional Council.

INDIRECT RULE IN THE COLONY AREA: INITIAL DIFFICULTIES OVERCOME

We come now to two areas each of which has presented peculiar and distinct difficulties in the introduction of Indirect Rule. The first is the Colony area (as distinct from the vast and densely populated area of the Protectorate), a small coastal strip running east and west from Lagos with a population of some 200,000. Indirect Rule in the Colony is a very recent innovation. In 1935 Sir Bernard Bourdillon toured the area and found the people backward and apathetic. Under direct rule there were, of course, no Native Authorities, and there was no tribal authority beyond a number of petty chiefs with unspecified powers to whom the people neither owed nor paid allegiance. As a preliminary to the setting up of Native Authorities the people were consulted and they met together to discuss the appointment of leaders whom they would respect and obey. In a number of areas, after discussions which lasted for more than a year, unanimity was reached and Native Authorities were established. In others, where no agreement was arrived at, it was necessary to try the temporary expedient of appointing a Native Authority consisting of a native council with a District Officer at its head. That the expedient was effective is proved by the fact that within two years the District Officers had been withdrawn to be replaced by properly constituted Native Authorities.

The results are proving highly satisfactory. No longer apathetic, the people are beginning to take a lively interest in the welfare of their districts, and the power to spend their own money is turning that interest into constructive channels. The people of one district, once a center of the slave trade, had asked in 1935 for a Government-built motor road into the interior and the Governor had suggested that as a first step they might construct an embankment across two miles of swampland. Within two years of the establishment of their Native Authority these people sent the Governor a message to the effect that they had completed a mile of the embankment, and would be glad of help in order to finish the work.

INDIRECT RULE IN THE EASTERN PROVINCES: THE FAMILY AS SOLE TRADITIONAL UNIT

The second of the two areas that have presented special difficulties is the Eastern Provinces, where Indirect Rule was introduced in 1928. In this region, which has a population of some 5,000,000 (approximately one administrative officer to every 70,000 or 80,000 people), there was no system of direct taxation that would provide Native Authorities with funds to pay their staff and finance their undertakings. The first problem to be faced, therefore, was not merely to introduce and supervise the collection of a small tax, but to persuade the people that their own representatives would have the power to expend a proportion of the proceeds. The second problem was to find any indigenous authority in an area where there seemed to be an intense individualism and little social structure. It was therefore necessary (to quote Mr. G. G. Shute, one time Chief Commissioner of the Eastern Provinces) "to discover the groupings of the people, what common authority they would recognize and obey, and above all in what way the people could be most fully and thoroughly represented on that authority." A way was ultimately found which did much towards providing a solution to the problem. Exhaustive inquiries had revealed the fact that the family (which might number anything up to 200 people) was the sole traditional unit and that no higher organization could be set up which did not include a representative of each family. After consultation with the people, the expedient was adopted of uniting the families into some 300 small groups, each family being represented on the group council. The strength of this system was that it gave an opportunity for self-expression to men of character and ability; and the realization of the value of money in the provision of social and economic services gave such stimulus to the task of tax collecting that some of the people have already suggested that they would willingly pay a higher rate. The weakness of the scheme lay in the fact that the councils were too large for the units they served, and that the older members were often illiterate and reactionary.

This problem is being solved by the voluntary federation of neighboring units with complete control over their own finances, and by the establishment of local committees. These committees, which consist of the younger and more advanced men of the community, are selected by the members of the councils to whom they are responsible. The councils still meet, but only at intervals, to listen to the recommendation of the local committees which meet regularly, either weekly, fortnightly, or monthly. A recent Secretary of State for the Colonies referred to the harmonious col-

laboration of these bodies as pointing "the way of evolution from the more traditional methods of the past to the more democratic methods of the future."

The 1945 proposals for revision of the constitution marked a further advance. They include a Regional Council for the Eastern Provinces along with the Councils for the Northern and Western Provinces. The Eastern Regional Council will have a single House of Assembly consisting of 29 to 32 members of whom 15 to 18 are unofficial. These unofficial members are persons of African descent domiciled in Nigeria. Ten to 13 of them are selected by Native Authorities, and five are nominated by the Governor to represent important aspects of life not otherwise represented. The Chief Commissioner for the Eastern Provinces presides over the Council. Its functions will be the same as those of the Northern and Western Regional Councils.

THE CENTRAL GOVERNMENT

The Legislative Council for the territory, which was substituted for older legislative bodies in 1922, consists of the Governor as President, 30 official members, and 19 unofficial members including three elected African members to represent the municipal area of Lagos and one to represent the municipal area of Calabar. Ten of the 19 unofficial members are Africans; and on the Finance Committee of the Legislative Council, which has definite powers in questions of finance affecting Nigeria as a whole, there is a strong African majority.

In 1942, two Africans and one European were appointed to serve on the Executive Council which, like the Executive Councils of the Gold Coast and Sierra Leone, had previously been confined to European official members.

The proposals for the revision of the constitution presented in March, 1945, by the Governor of Nigeria to the Secretary of State for the Colonies were designed "to bridge the gulf between the people and the Government by a measure of decentralization and by a widening of the basis of representation, which will bring the established Native Authorities within the legislative machine." In addition to the proposals for three Regional Councils, it was recommended that the Legislative Council should be revised. By the inclusion for the first time of representatives of the Northern Provinces, the Nigerian Legislative Council would be enabled to legislate for the whole country. The whole range of Nigerian affairs would be open to debate by the Council.

The scheme was debated in the Nigerian Legislative Council, and, while a number of minor amendments were suggested by the unofficial members, they unanimously supported the original proposals. The new Legislative Council is to have an unofficial and an African majority. Of its 45 members, 28 will be unofficial and 24 of these will be African.

A proclamation was issued declaring January 1, 1947, as the date that the new constitution in Nigeria would come into operation. This constitution gives Africans a voting majority in the Regional Houses of Assembly and in the Legislative Council. During January, the three Houses of Assembly met to select their members for the Legislative Council. Elections for three members for Lagos and one for Calabar are to be held in March.

By the establishment of the Regional Councils in Nigeria, Indirect Rule

will become properly integrated with the political development of the country as a whole, and a chain of representation will be created extending from the Legislative Council through these Regional Councils to the Native Authorities and so to the people. At the same time, this type of representation will be in accordance with custom, it will fit in naturally with existing institutions, and will be easily understood by the people themselves. Indirect Rule is an example of government by the people, for the people.



THE PRINCIPLES OF INDIRECT RULE APPLIED IN OTHER PARTS OF THE COLONIAL EMPIRE

This survey of Indirect Rule shows some of the variations in application which exist in a single Dependency. The ideal which it represents is not a new one, for Stamford Raffles had evolved a similar policy for the Far East as far back as the closing years of the eighteenth century, and Arthur Gordon had introduced a similar system into the Fiji Islands in the 1890's. But Indirect Rule as we know it today was born in Nigeria. It functions now in the majority of British African Dependencies, not on a uniform pattern, but adapted to suit the needs of the people of each territory.

OTHER WEST AFRICAN DEPENDENCIES

Each of the West African territories consists of a coastal portion formally annexed as a Colony, and an area inland under British protection. There are, of course, certain legal and political distinctions in the administration of Colony and Protectorate but the tendency is for both areas to be administered on the same lines on major questions of government.

English traders had visited the West African coast from the middle of the sixteenth century onwards but it was not until 1783 that British occupation of a number of isolated points became continuous. In the early years Englishmen as well as African rulers and members of other nations helped to carry on the slave trade. In 1807, however, the Act was passed which forbade British subjects to engage in it. The Royal Navy soon put an end to slaving under the British flag but it was not until about 1870 that the transport of slaves overseas really ceased.

SIERRA LEONE

Originally founded as a settlement for freed slaves in the closing years of the eighteenth century, Sierra Leone was ceded by its native ruler to the newly formed Sierra Leone Company. For the first few years the settlement suffered from disease and famine and in 1807-8 the Company transferred its responsibility to the Crown. Slave trading which was still

being carried on in the interior led to British intervention and to the cession of additional land to the Crown. The possibilities of opening up the interior to legitimate trade caused an extension of British influence and in 1896, the demarcation of the northern boundary between the British and French spheres of influence having been ratified, the hinterland of Sierra Leone was declared a British Protectorate.

The government of both Colony and Protectorate is administered by the Governor assisted by an Executive and Legislative Council. In 1924 an elective element was introduced into the Legislative Council together with direct representation of Protectorate interests, and the Council, with the Governor as President, now consists of 11 official members and ten unofficial members, three of the unofficial members being elected and six of them nominated Africans.

In 1943, two African unofficial members, one of them a Paramount Chief, were appointed to the Executive Council, thus bringing the Council into line with those of the Gold Coast and Nigeria to which African members had been appointed the previous year.

The reconstitution of the Freetown City Council was approved early in 1945, in order to provide for an elected majority and substantial enlargement of the Council's functions and responsibilities.

In practically all the Government Departments Africans now hold responsible posts, and it is the declared policy of the Government to increase steadily the number of such officers. With this object in view generous provision is now made by Government scholarships for the higher education and professional training of local candidates.

INDIRECT RULE BASED ON CHIEFDOMS

The Protectorate is administered according to the principles of Indirect Rule. The Nigerian model is not closely followed because, owing to the gigantic difficulties of communication in thickly wooded country, African society in Sierra Leone is organized in small Chiefdoms which have grown up independently of one another. Little had been done about setting up local Treasuries until 1936, when a start was made in certain of the larger and more advanced Chiefdoms in the eastern part of the Protectorate. As a basis, the various contributions in kind and in labor, which had traditionally been made by the people to their Paramount Chiefs and to their village Headmen, were commuted for a fixed sum per house. This generally was set at the rate of 4s. (80¢), and is collected annually. From the sums so raised salaries of the officials of the administrations are paid. These average about 40 per cent of the total income, the remainder of the money being available for development schemes, such as schools, court buildings, roads, dispensaries, etc. At the present moment approximately half the inhabitants of the Protectorate are living under the aegis of Native Treasuries which are functioning satisfactorily. The Chiefdom organization in the Protectorate resembles that of Southern Nigeria both in the size and political character of the units rather than the emirates of Northern Nigeria. It is hoped that amalgamation of small units with the consequent reduction of overhead charges will take place, but the Africans are naturally conservative in these matters and local interests are not easily reconciled.

Changes proposed in November, 1945, should however lead in this direction. The first proposal was to establish 12 district councils representing the chiefdoms of each district, and the second was to establish a Protectorate Assembly which would sit under the Presidency of the Chief Commissioner. In fact, 13 district Councils have now been formed, and progress is being made towards the organization of Native Treasuries for all Native Authorities.

The Protectorate Assembly was opened at Bo on July 23, 1946. It is composed of ten official members and, at present, of 32 unofficial members. Of the latter, 26 are elected—two by each of the 13 District Councils from their own members and, as further District Councils are established, there will be a proportionate increase in the number of elected members in the Assembly. There are also six unofficial members nominated by the Governor, four of whom are Africans, representing interests not included in the Councils, and two of whom represent commercial and mission interests respectively.

This Assembly voices the opinions and wishes of nearly 2,000,000 people and thus has within it the germ of a parliament, though it is at present a purely advisory body with no legislative powers. It is an interesting example of how education in the higher arts of government can come about through the adaptation of traditional institutions to the needs of a people who are moving rapidly from the primitive to the modern world. The Assembly is based on the District Councils, which are in turn based on the Chiefdom Assemblies, notables and functionaries who, though not themselves elected by universal suffrage are composed, by custom and tradition, in such a way as to represent the opinion of about two hundred Chiefdoms. Twenty-six Paramount Chiefs, all with different mother-tongues, and with differing religious and social customs, meet in it to discuss matters concerning their common or divisional interests in political, social, and economic matters. As a Chief is reported to have said, it is something which he himself, and certainly an earlier generation, would have held to be inconceivable.

THE GAMBIA

British trading stations were first established in the Gambia during the seventeenth century and after a difficult beginning and many setbacks the area enjoyed 20 years of comparative prosperity under the direction of the Royal African Company. In due course the Company became involved in financial troubles, and in 1765 responsibility was vested in the Crown. Until 1886, with one brief interval, the Gambia was administered jointly, first with part of Senegal as the Crown Colony of Senegambia and later with Sierra Leone. In 1889, by agreement with the French, the boundaries of the Colony were set. By 1902, with the exception of the island of St. Mary on which Bathurst, the capital of the Colony is situated, the whole of the area had been brought under the protectorate system.

Government is administered by the Governor assisted by an Executive Council composed of officials, and a Legislative Council which includes four unofficial nominated members, three of them Africans.

RECENT DEVELOPMENTS

Although there are as yet no African members of the Executive Council considerable political progress has been made in the Gambia during the past few years. An elective element is to be introduced into the Legislative Council, for there will, in future, be an elected African member to represent the one urban constituency of the territory. Of the three members to be nominated to the Council, two must be Africans, one of them representing the interests of the Protectorate as distinct from the Colony.

In March, 1944, the first joint conference of Chiefs representing the Dependency as a whole was held. The Chiefs who were present at the conference were invited to submit a list of suitable candidates to the Governor for nomination to the Legislative Council. On this occasion the Governor announced the appointment of a special Commissioner to act as a link between the Central Government, the four British Provincial Commissioners who administer the four Provinces into which the Protectorate is divided, and the Native Authorities. One of the new Commissioner's first duties was to conduct an investigation with the object of setting up Native Treasuries in the Dependency, for the Native Authorities of the Gambia have not yet reached the degree of financial authority enjoyed by the Native Authorities of the other West African territories who are, as we have seen, empowered to spend a proportion of the money which they collect in taxation, and in some cases to levy taxes themselves. Recent legislation, however, has authorized the imposition of local taxes by the Native Authorities and the expenditure of the proceeds by the Authorities within their respective areas.

Local government, too, has seen an advance. Bathurst has had a Town Council since 1931 which advises the Government on matters concerning the welfare of its people. In 1944, the Secretary of State for the Colonies approved proposals prepared by the Governor in consultation with the Council for the creation of a temporary local self-governing body in Bathurst which will undertake certain duties and functions on behalf of the town, at present carried out by the Central Government. While this temporary arrangement is in force, such questions as the basis of the municipal franchise will be considered.

In the Administrative Service an intermediate grade known as "Administrative Assistant" has been opened to Africans. Successful candidates will be given a two-year training in the different branches of Government service, in some cases in other parts of West Africa and in others in the United Kingdom.

On the legal side, among other appointments, two African women have been made Justices of the Peace, and a Barrister-at-Law has been appointed as Colonial Magistrate. The Government is taking steps to provide special training and education to prepare an increasing number of Africans for responsible posts in the various Departments.

THE GOLD COAST

Alluvial gold, small quantities of which were brought by the natives of the interior to be exchanged for goods provided by the tribes of the coast, first attracted Europeans to the Gold Coast. The Portuguese (who

were ousted by the Dutch) and the British all founded trading stations which by the eighteenth century were dealing in slaves rather than gold. The abolition of British slaving was followed by a reduction in the number of British trading stations and those which remained were used after 1820 as bases from which the Royal Navy could operate against the slave trade. The British Government was reluctant to take over the administration of the area, and had it not been for a handful of traders who refused to leave even when ordered to do so, the Gold Coast might have been abandoned altogether. By the time internal disorders and foreign penetration had persuaded Britain to act, French and German annexation had limited her sphere of influence to an area of 90,000 square miles. Part of this, the coastal strip with Accra as its capital, is today administered as a Crown Colony, while the regions of Ashanti and the Northern Territories, under the administration of Chief Commissioners responsible to the Governor of the Colony, are Protectorates. The former German Protectorate of Togoland was placed under British mandate in 1922 and has since been administered with the Gold Coast. The United Nations Trusteeship System has now succeeded the Mandates System, and Togoland became a British Trust Territory in December, 1946.

NATIVE ADMINISTRATION AND ITS LINK WITH THE CENTRAL GOVERNMENT

The prevailing system of government has been described as a mixture of direct and indirect rule with a bias towards the latter. Native administration is largely in the hands of Chiefs who are assisted by councils of elders representing various sections of the community. Tribunals, with certain powers of jurisdiction in civil and criminal matters, are formed by each Chief and his councillors, but appeal can be made to higher courts.

In the Gold Coast Colony there has existed for many years a direct link with the Central Government through Provincial Councils composed of the head Chiefs. These Councils, to whom all important Bills introduced into the Legislative Council, constituted in 1925, were referred for comment, also elected Chiefs to serve on the Legislative Council which, up to 1946, consisted of the Governor as President, 15 official members and 14 unofficial members of whom 11 were elected.

In 1942, the Executive Council, which until then had consisted only of European officials, was strengthened by the appointment of two African members both of whom had had long and distinguished careers as members of the Legislative Council.

Recommendations for constitutional reform were announced by the Secretary of State for the Colonies in the House of Commons on October 5, 1944, and a new constitution was established by Orders in Council of March 29, 1946. This constitution greatly increases the share of Africans in the Central Government, while strengthening the link with the local native administrations. The main features of the reforms are that African unofficial members now have a majority in the Legislative Council, and that Ashanti, which was hitherto administered directly by the Governor, now, through its elected members, also takes its part in the procedure of

the Central Government. In place of the 14 unofficial members there are now 18 elected members, while the official and nominated members together have been reduced from 15 to 12.

The elected members for the Colony consist of five from the Eastern Province, four from the Western Province, and four municipal members, two from Accra and one each from Cape Coast and Sekondi. The Provincial members, instead of being elected as in the past, by each of the Provincial Councils, are now elected by the Joint Provincial Council, hitherto a body with deliberative and advisory functions, which is now recognized as an integral part of the constitution. For Ashanti, four members are elected by the Ashanti Confederacy Council, which is composed of the Asantehene and the Head Chiefs of Ashanti, and one by the electors of Kumasi Municipality.

The step from a Legislative Council with an official majority to one with an unofficial and elected majority is a decisive one in the progress towards self-government. Elections for the new Council were held on June 17, 1946, and the first meeting was held at Accra on July 23.

THE ADMINISTRATIVE SERVICE IS OPEN TO AFRICANS

The year 1942 saw the opening of the higher grades of the Administrative Service to Africans and the provision of a number of scholarships to provide additional training for suitable candidates. The opening was immediately followed by the appointment of two Africans as Assistant District Commissioners, posts which call for the highest qualities of character and ability. On the legal side, too, an increasing number of appointments are going to Africans. In 1943, for example, an African was made Puisne Judge of the Supreme Court (the highest Court in the Gold Coast to which appeals from the local tribunals can be made), three Africans were made District Magistrates, and one a Crown Counsel.

LOCAL GOVERNMENT REFORMS

Local government is being reorganized on the lines of a recommendation made by the Governor. Until 1943, the Gold Coast had three town councils, at Accra, Cape Coast and Sekondi, but a fourth, at Kumasi in Ashanti, has now been set up. This Council has 13 members of whom eight are Africans and, subject to the general control of the Governor, it has a free hand in the administration of the township.

THE EAST AFRICAN DEPENDENCIES

British interest was first drawn to East Africa by the horrors of the Arab slave trade and during the years between 1856 and 1873 British explorers and missionaries, among them David Livingstone, were penetrating the interior, bent not only on exploration but on unmasking and breaking the traffic in slaves.

ZANZIBAR

The chief ruler of East Africa at this time was the Sultan of the island of Zanzibar. The British Government, having no desire to take over the

government of the regions under his control, sought rather to strengthen his régime and to influence him against slavery so that he might be in a position himself to introduce the necessary reforms. Gradually and with infinite pains this was accomplished and by 1881 legitimate trade had begun to supersede the slave trade and the Sultan of the day, backed by British authority, was in a stronger position than ever before.

Within a few years, however, the Sultanate which was changing from a mere over-lordship to a State was overthrown. German agents traveling on the mainland of East Africa had induced unsuspecting chiefs to sign away their lands to an organization known as the German Colonization Society. When the Sultan asked for British support against this act of piracy it was refused and, powerless without British protection, he was obliged to relinquish the bulk of his mainland possessions. Germany was prevented from seizing them all only by the formation of the British East Africa Company, whose energy was largely responsible for the maintenance of British influence in Uganda and what is now Kenya Colony.

In 1890, Zanzibar together with the neighboring island of Pemba was brought under British protection and in the following year a regular Government was constituted with a British representative as First Minister. Executive and Legislative Councils were set up in 1926, the Government being administered by a British Resident. With the Sultan as President and the Resident as Vice-President, the Executive Council consists of four ex-officio members and two official members appointed by the Sultan with the advice of the British Resident. There are eight official members of the Legislative Council which is presided over by the Resident, and six unofficial members appointed by the Sultan.

In 1929, the British Government formally recognized the son of the reigning Sultan as his heir, and in order to give the Sultan-Designate experience in the conduct of public affairs he was given in 1943 a seat on the Executive Council.

UGANDA

Uganda, with a record of half a century of progress under British protection, is at an interesting stage of development. By 1893, it had become clear that the strain of maintaining order was too heavy to be borne by the East Africa Company, and that the problems caused by a succession of weak or vicious native rulers and augmented by Germany's seizure of the major portion of the East African territories could only be solved by direct participation in the native government.

RELATIONSHIP BETWEEN UGANDA AND THE CROWN

Two great British administrators, first Lord Lugard and later Sir Harry Johnston, helped to establish peace and order and paved the way for internal progress. The new Protectorate had in the province of Buganda a highly developed monarchy of its own with a Kabaka (or king) at its head. In 1900, an Agreement was concluded confirming that the Kabaka should exercise direct rule over the natives of Buganda "to whom he shall

administer justice through the Lukiko, or Native Council, and through others of his officers in the manner approved by Her Majesty's Government."

The Kabaka has power, subject to the Governor's approval, to appoint his subordinate chiefs and to make laws concerning the welfare of his subjects who form more than one-quarter of the total African population of the Protectorate.

A reorganization of the Administration of Buganda was announced in October, 1944, by which the Kabaka and his Government assume an increased measure of responsibility for the administration of Buganda. In November, 1945, the Government of Buganda passed a law providing for the election of 31 unofficial members of the Lukiko out of a total of 89.

The other provinces of Uganda—the Eastern and Western—are administered under Indirect Rule, and in the case of the native rulers agreements of a less comprehensive nature than the Buganda Agreement have been entered into.

In 1907, the first British Governor was appointed and, in 1921, Executive and Legislative Councils were established, the latter consisting partly of official members and partly of nominated unofficial members with an official majority. In 1945, three African members, one from each of the three provinces, were appointed to the Legislative Council. African interests are also represented by the official element which includes the Directors of Medical Services, Agriculture, and Education.

KENYA

Kenya, then known as British East Africa, came under British protection in 1895 when the East Africa Company surrendered its charter to the Crown. In 1919 the territory was annexed and became Kenya Colony, a coastal strip ten miles deep remaining as a Protectorate.

In the early days of the present century, settlers from Britain and South Africa began to make homes for themselves in Kenya and after the First World War, with Government encouragement, they were joined by others. The settlers (some 20,000 of them) looked to the British Government to defend and further their interests, but the British Government was determined that the interests of an African population of three and a half millions should "not be subordinated to another race, however important in itself." The situation was complicated by the presence of an Indian population of 40,000. Some of them were traders but most of them were laborers who had been employed in the building of the Kenya-Uganda Railway which had dealt a final blow to slavery and had also opened up East Africa to trade. The Indians resented any subordination to the Europeans.

On the termination of the late war, the Kenya Government was able to put into operation a further settlement scheme, designed to make the fullest use of the land as an economic asset of the Colony, and to take into consideration the needs of all sections of the community.

In 1919, Executive and Legislative Councils were set up with the elected members of the latter in the minority. Two Europeans were nominated to safeguard the interests of the African population who were also represented by a strong official element.

SOME RECENT POLITICAL DEVELOPMENTS

Local Native Councils were established in 1924 in the Native Reserves and have increased greatly both in numbers and in importance. In 1943, a Native Authority (Amendment) Bill introduced into the Legislature authorized European Provincial Commissioners to appoint Africans as deputy Vice-Presidents of Local Native Councils. In the absence of the President (the District Officer) an African can now preside at council meetings, and in many districts it is now becoming customary for the President and other European officials to leave a meeting in charge of the Vice-President, returning at the conclusion to learn the result of the Council's deliberations.

The year 1943 saw another advance in the appointment of a Standing Advisory Committee for Local Native Councils with an African majority. This Committee advises the Governor on such important matters as the drafting of budgets for the Councils. In his speech to the Legislative Council on its adjournment in June, 1944, the Governor spoke with appreciation of the ability shown by the African members of the Advisory Committee, adding that the part played by some of the African members of the more advanced of the Local Native Councils had further demonstrated their capability of taking a fuller share in the work of the Government.

Still further developments in local government are on the way. On October 28, 1946, the Secretary of State for the Colonies announced that the setting up of a Local Government Board was under consideration. It is intended that the Board shall include unofficial European, Indian, and African members as well as officials. Its functions will cover the general direction of local government policy and the exercise of certain powers, including the hearing of certain statutory appeals hitherto vested in the Governor. The Board will also have standing committees dealing with municipal councils, district councils, and African district councils. It is expected that the new Standing Committee for African District Councils will have greater powers than the present Standing Advisory Committee on Local Native Councils which is purely advisory.

These developments were accompanied by a logical but significant step forward when in October, 1944, an African succeeded one of the two European nominated members who represent African interests on the Legislative Council, and was selected by the Governor from a list of names proposed by the Native Councils. With the Governor as President, the Council consists of 11 ex-officio members, nine nominated official members, 11 European elected members, five Indian elected members, one Arab elected member, two nominated unofficial members (one of them African) to represent the interests of the African community, and one nominated unofficial member to represent the interests of the Arab community. "The new African member will find his task a formidable one," wrote the *East African Standard* on the occasion of the Governor's announcement, "but he will not want for sympathetic guidance either from his fellow European nominated member, whoever may be selected for the task, or from the other members of the Council. The Africans in Kenya may take heart from the knowledge that the association with them of other races in the development of this part of Africa has not only *not* resulted in political

repression but that the Colony is leading the way in finding an appropriate place for them in its Councils." Early in 1946, a second African member was temporarily added to the Legislative Council during the absence of the European member representing African interests. The appointment of further African members is being considered.

REORGANIZATION OF THE CENTRAL ADMINISTRATION

In 1945, the Kenya Government put forward proposals for reorganizing the administration on lines better adapted to the increasing range of its responsibilities, and to the effective carrying out of a large-scale development and welfare program. According to this scheme, Government Departments would be grouped under various members of the Executive Council (official and unofficial) instead of all together under the Colonial Secretary, as hitherto. These members would thus form an embryo Cabinet. An entirely new Development Authority, with its own budget, would be set up under the Chairmanship of the Chief Secretary who could at any time call in the help of members of the African, Indian, and European communities. These proposals have been put forward as offering a possible contribution both to the efficiency of the administration and to the progress of all races in Kenya. They are at present being debated by the Legislative Council.

NYASALAND

The explorations of Livingstone and the labors of British missionaries first brought the district which lies to the west of Lake Nyasa under British influence. The setting up of missions was followed by the formation of the African Lakes Corporation and in 1883 the first British consul for the territories north of the Zambesi was appointed.

Trouble with the Arab slavers and with certain native chiefs who also carried on the slave trade led in the 1890's to the establishment of a Protectorate. Today administration is in the hands of the Governor assisted by an Executive Council of official members with the addition of two European unofficial members, and a Legislative Council of five official and five unofficial members.

GROWTH OF POLITICAL RESPONSIBILITY

A most important link between the Central Government and the people was formed in July, 1944, with the announcement that an African Provincial Council is being set up in each of the two provinces into which Nyasaland is divided for administrative purposes. These Councils, which are advisory, are under the presidency of the British Provincial Commissioner for the Southern and Northern Provinces and are composed of chiefs and other responsible African members. They have facilitated consultation between the Government and the people through their recognized leaders and have been so successful that a further step has been taken to give the Africans a still larger share in the management of their affairs. In January, 1946, the Nyasaland African Protectorate Council met for the first time. It represents the whole African population and consists of 12 Chiefs and eight other prominent Africans drawn from the Provincial Councils.

NORTHERN RHODESIA

Until 1911, Northern Rhodesia was administered jointly with Southern Rhodesia under the direction of the British South Africa Company. In 1923, when Southern Rhodesia received local responsible government, Northern Rhodesia remained under the administration of a Governor and an Executive Council, since its governmental problems approximated to conditions prevailing in the Dependencies of East Africa. Until 1944 the Legislative Council, with the Governor as President, consisted of five ex-officio members, four nominated official members, and eight members elected by the Europeans on a franchise limited on a property basis, together with one nominated official member representing the interests of the African community. Provision regarding the native population was in the hands of the Governor.

On October 18, 1944, the Secretary of State announced an increase in the unofficial element. With the Governor as President, the Legislative Council now consists of nine official members, eight elected unofficial members and five nominated unofficial members. "It is intended," said the Secretary of State, "that African interests should be represented by Africans as soon as a suitable basis of representation can be built up. Provincial African Councils have recently been established in the territory, and when these have had sufficient experience, an African Central Council will be set up consisting of delegates from the Provincial Councils."

The first meeting of the Legislative Council under the new constitution was held in June, 1945. In the following year, the proposed central council came into being under the name of the African Representative Council, and held its first meeting on November 14, 1946. It consists of the Secretary for Native Affairs, as President, and 29 African members. The African members are elected from among the delegates at the meetings of the Provincial Councils, with the exception of those from the Barotse Province, who are nominated by the Paramount Chief in consultation with the Provincial Commissioner. The Council advises the Governor on matters directly affecting the African population, and certain draft legislation will be submitted to it for comment and advice. It is intended that from among its members Africans will be drawn to serve on the Legislative Council to represent the interests of their own people. The Secretary of State for the Colonies, in a message to the Council, referred to the intention that in 1948 two of its members would be elected to the Legislative Council, saying, "I am most anxious that you should move forward to greater and greater responsibility."

TANGANYIKA

Tanganyika Territory, formerly German East Africa, was mandated to Britain after the war of 1914-1918. In December, 1946, it became a Trust Territory, administered by Britain under the United Nations Trusteeship System which succeeded the Mandates System. It is administered by a Governor assisted by an Executive Council and a Legislative Council. The latter, as constituted in 1926, consisted of the Governor, 13 official members and not more than ten unofficial members. Three Indians were among the unofficial members in 1938. This Council was enlarged in November,

1945, to consist of 15 official members and not more than 14 unofficial members, and in December two African unofficial members took their seats in the Council.

Indirect Rule was introduced into Tanganyika by Sir Donald Cameron during his term of office as Governor from 1925 to 1931. Under this system considerable progress is being made in the education of the people towards responsibility for the conduct of their own affairs. Various forms of Native Authorities with Native Treasuries have been established. In some cases the Native Authority is the Paramount Chief, who usually has lesser Chiefs under him, and who has direct control over the Native Treasury. In others, it is the tribal council consisting of petty Chiefs or Headmen belonging to the same tribe and with a common treasury. Certain federations of Chiefs have also been established. One of the largest of these is the Sukumaland Federation, established at the end of 1946, consisting of 50 chiefdoms representing 1,000,000 people. The Sukumaland Federal Council has wide political, economic, and legislative powers and, being composed of Chiefs, reaches down through the organization of African local government to the Headmen who are themselves elected by the villagers. An African Chief is the permanent chairman of the Federal Council. At its first meeting the political and economic development of Sukumaland were fully discussed, and important decisions were reached, not only in relation to the financial, executive, and judicial organizations of the Federation, but also in relation to land utilization and improved agricultural and veterinary practises.

Since 1926, Indirect Rule in Sukumaland has been tending towards larger and larger groupings of Chiefdoms, and the unanimous decision to establish this single authority is a notable step forward in the development of African local government.

INTER-TERRITORIAL ORGANIZATION IN AFRICA

Though, as will have been seen, no uniform system of government is possible for all the African dependencies, there are many matters of common interest on which neighboring Governments co-operate through special inter-territorial organizations. Transport, health, education, labor, economic relations and research are all subjects that present common problems to territories within one region and on which co-ordination of effort has become increasingly necessary. During the war, such co-ordination became even more urgent and new organizations were created or existing ones expanded to deal with a still wider range of subjects.

EAST AFRICA

A Conference of East African Governors was instituted in 1926 to insure co-operation on matters of mutual concern to all the British East African territories. Later, this body co-ordinated the work of the special wartime organizations. The Conference, however, had no power to secure common legislation and, since it functioned without public discussion, it could not enlist the support of public opinion or make use of expert advice and experience. At the end of the war, the question of how these inter-terri-

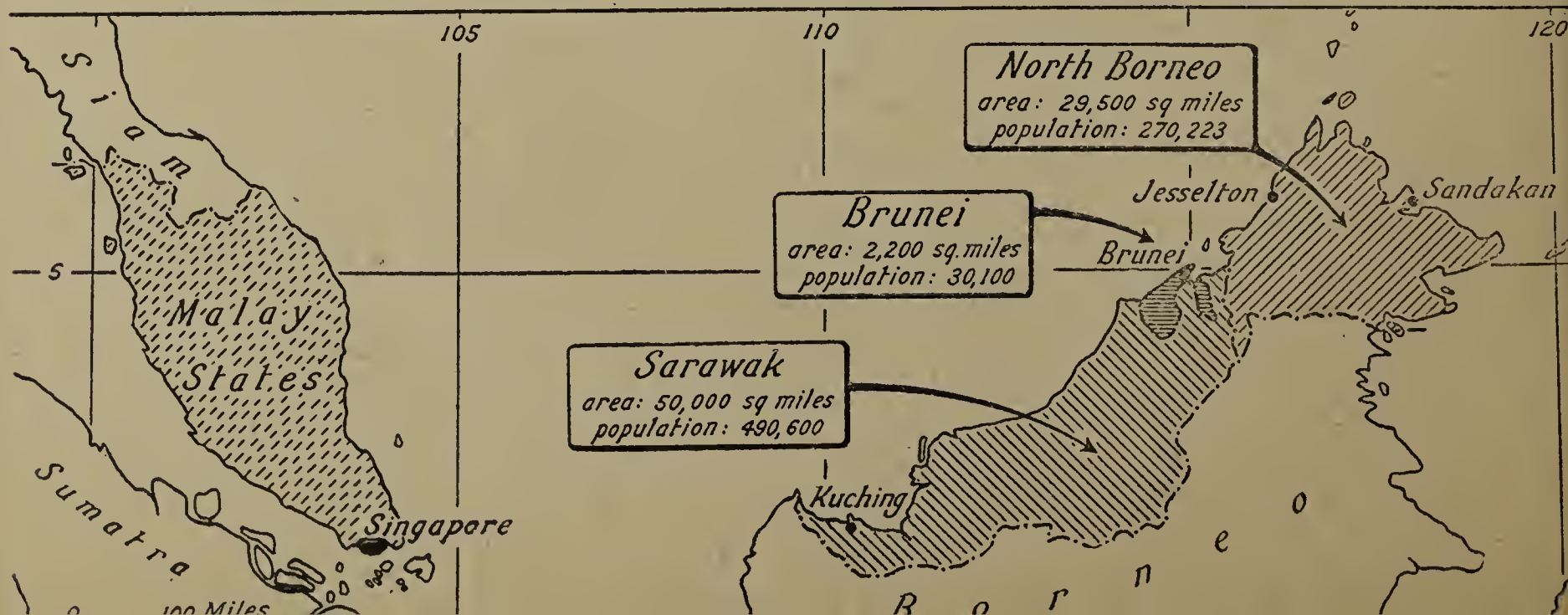
torial bodies could best serve the future development of the country came under consideration, and in December, 1945, the British Government published certain proposals for their reorganization. These proposals suggested methods for securing a constitutional basis for the operation of the services common to the three territories, a means of enacting common legislation and of associating representatives of the public of all races with their management. The plan envisages the establishment of an East African High Commission consisting of the Governors of Kenya, Uganda, and Tanganyika, under the Chairmanship of the Governor of Kenya, and responsible to the Secretary of State for the Colonies. There would also be a Central Executive and Inter-territorial Advisory Boards with unofficial representation. An East African Legislative Assembly would be created, with representation of all races to legislate for the common services, but the powers of the Assembly would not conflict with those of the territorial Legislative Councils. This plan would not involve closer political union of the three territories, for the administration of which the three Governments would still remain responsible. These proposals were put forward as a basis of discussion in Britain and in East Africa. Meanwhile, the East African Governors' Conference continues to meet to consider matters of inter-territorial interest.

THE WEST AFRICAN COUNCIL

In 1942, the office of Minister Resident in British West Africa was created to provide the co-ordination necessary for dealing with wartime problems and demands. With the end of the war, this office was abolished and, to maintain co-ordination for the work of internal development, a West African Council was established. The four West African Governors are members, and the Secretary of State for the Colonies is Chairman. It was felt to be essential that the Secretary of State should be directly associated with the Council so that immediate decisions could be taken and differences resolved without delay. The Council has a permanent Secretariat at Accra, in the Gold Coast, and met for the first time in January, 1946, under the Chairmanship of Viscount Hall, then Secretary of State.

THE CENTRAL AFRICAN COUNCIL

In October, 1944, the Secretary of State announced the establishment of a standing Central African Council, covering Northern and Southern Rhodesia and Nyasaland. This Council, which is on a permanent basis, is consultative, its general functions being to promote the closest contact and co-operation between the three Governments and their administrative and technical services. Subjects with which the Council is concerned include communications, economic relations, industrial development, research, labor, education, agriculture, veterinary and medical matters; also currency and such other matters as may be agreed between the three Governments. The Council has held four meetings, and Standing Committees on many of these subjects have been established.



IX. MALAYA

British Malaya is a small country of a singularly complex character. About the size of England or New York State, it is inhabited by three main racial groups of widely divergent traditions, outlook, and interests. Moreover, Britain's relationship with the various areas of the peninsula is not uniform, but has been governed by the particular circumstances through which each came under her control in the course of more than a century. Active encouragement of a sense of unity and common purpose among the many diverse elements is therefore the guiding principle in all plans for the development of self-government.

THE COMPLEX BACKGROUND

The early British merchants who came to Malaya found an undeveloped, sparsely inhabited territory, divided into a number of small Sultanates constantly at war among themselves. In the interior, Chinese settlers worked the tin mines in a primitive fashion, but trade was made difficult by the anarchic conditions of the country. As British settlements came to be established at various points along the coast, their security soon attracted Chinese, Indians, and Malays, and early in the nineteenth century trade sprang up between these settlements and the Malay States. But disturbances continued in the interior, and eventually the Malay Rulers began to seek British protection. Recognizing the need to establish peaceful conditions for trade, the British Government from 1874 onwards signed treaties with the various States whereby the Rulers agreed to the appointment of a British Resident whose advice was to be asked and accepted on all matters except those relating to Mohammedan religion and custom.

In 1877, rubber was introduced into Malaya by the British, and from 1897 onwards production began to increase rapidly. In the early 1880's the first tin mines worked by Europeans were opened in Perak. From the beginning of the twentieth century these two industries, under the impetus of foreign, mainly British, capital, skill and initiative, changed the face of the country.

The three main racial groups are Malays, Chinese, and East Indians. The Malays are largely peasant farmers and fishermen and have never shown much interest in the type of work provided by the large-scale industries, or in city life. In their Mohammedan society, each Sultan is the traditional leader of his people, and until very recently Malay loyalty has been local and there has been little feeling of national or racial unity.

The Chinese came to the country mainly to work in the tin mines and the big business houses. In Singapore in particular, which in 1941 was nearly 80 per cent Chinese, many of them have become wealthy and influential members of the community, and their total number in the country is now slightly greater than that of the Malays. Indians, the third largest community, came mainly to work on the rubber, tea, sugar, and palm oil estates. Many of the Chinese and Indians are transients, returning eventually to their own countries. In 1931, only 57 per cent of the whole population had been born in Malaya, but this situation has been gradually changing as more and more of the immigrants tend to settle permanently.

Before the war, there were three main divisions of territory—the Straits

Settlements, the four Federated Malay States, and the five Unfederated Malay States. The Straits Settlements formed a Crown Colony with direct British administration, while in the Malay States British authority rested on the treaties with their Rulers already referred to. There were thus ten governments.

THE STRAITS SETTLEMENTS

These comprised the island of Penang, (with Province Wellesley), the Settlement of Malacca, and the Island of Singapore. Penang was ceded to the British East India Company in 1786 by the Sultan of Kedah, and Province Wellesley was added to the Settlement in 1800. Malacca was acquired from the Dutch by treaty in 1824. Singapore was founded as a trading station in 1819 by Sir Stamford Raffles, who obtained a lease from the Sultan of Johore, and in 1824 the island was ceded to Britain in perpetuity.

These territories were administered by the British East India Company until the British Government assumed direct control of all the Company's territories. In 1867, they became a Crown Colony with a Governor, Executive Council and Legislative Council. The Executive Council, which at first consisted only of official members, had by 1942 been enlarged to comprise the Governor as President, eight official members (of whom two were appointed by the Governor), three unofficial members nominated by the Governor, and one Chinese member. At the same date, the Legislative Council had a membership of 26, half official and half unofficial. Eleven of the latter were nominated (five Europeans, three Chinese, one British Indian, one Eurasian and one Malay) and two were elected, one by the British members of the Chamber of Commerce at Singapore and one by those of the Penang Chamber. The Governor had an original and a casting vote, so that there was in effect an official majority. But in recent years the Governor rarely used the majority to pass any legislation opposed by unofficials. Bills did not come up before the Council until agreement on them had been reached between the various interests through the work of unofficial committees. Financial measures, in particular, were almost never pushed against opposition.

The Crown Colony also included Labuan, an island off the coast of Borneo, ceded to Britain by the Sultan of Brunei in 1846, the Cocos-Keeling Islands settled by a Scotsman named John Clunies Ross in 1827, and which became a British possession in 1851, and Christmas Island, annexed in 1888.

THE FEDERATED MALAY STATES

The four States of Perak, Selangor, Negri Sembilan, and Pahang came under British protection between 1874 and 1888 by the treaties with their Rulers referred to above. Supreme authority in each State was vested in the Ruler in State Council of which the British Resident, the principal Malay Chiefs and the leaders of the Chinese were members. With the object of achieving uniformity of government, the four States agreed in 1895 to federate. The Governor of the Straits Settlements was appointed High Commissioner of the Federation, a Federal secretariat took over control of revenue and expenditure throughout the Federation, and all major

Departments were centralized at the Federal capital. Laws passed in the Federal Council had to be signed by the Malay Rulers (who withdrew from membership in 1927, appointing the British Residents to represent them) but in effect the separate States were left with practically no executive or legislative powers except in the sphere of Mohammedan law. The Federation, in fact, threatened to turn into an amalgamation. The need for efficiency and uniformity had pushed centralization too far, in direct opposition to the intention of the Government which, in accordance with the treaties, was to maintain the position of the Rulers as heads of independent States under British protection. During the 1930's the process of centralization was reversed. Certain Departments were decentralized and the States were given power to deal with some parts of the work of the Federal Departments. The Federation was left in charge of the major work of allocation of revenues between the Federation and the States and between the four States, each of which submitted estimates of expenditure to the Federal Council and was allotted a block grant from which to finance State services. The State Councils themselves were strengthened by the addition of unofficial nominated members without prejudice of race, and the Legal Adviser to the Federation became a member of all four State Councils to ensure uniformity of legislation.

THE UNFEDERATED MALAY STATES

Kedah, Perlis, Kelantan, and Trengganu came under British protection only in 1909. At that date, suzerainty over them was abandoned by Siam in return for a loan from the Federated Malay States for the construction of a railway which would link up Bangkok and Singapore, and for the abolition by Britain of consular jurisdiction in Siam. Johore, which because of its position as neighbor of the great port of Singapore had been brought into closest relation with the Settlements, accepted an Adviser with the duties of Consular Officer in 1895 and asked for the appointment of a General Adviser in 1914. The other States received General Advisers at varying dates between 1910 and 1930.

In Kedah, Perlis, Kelantan, and Trengganu the Governments consisted of the Ruler and an Advisory Council, composed of the Malay Ministers and the British Adviser, which combined executive and legislative functions. Conditions in Johore placed that State in a somewhat different position from the other Unfederated States. It had possessed a written constitution since 1895, and the development of agriculture and mining provided a revenue greater than that of the other four States combined. It was, besides, the only Unfederated Malay State where Chinese and Indians outnumbered the Malays. In 1942, the Government consisted of a Council of Malay Ministers, an Executive Council, presided over by the Ruler and a Council of State, corresponding to a Legislative Council, with the Malay Prime Minister as President, and with British official members and Malay, European, Chinese and Indian unofficial members.

THE GOVERNMENT SERVICES

The higher posts in all parts of British Malaya were filled from the Malayan Civil Service. This service was closed to all Asiatics except Malays

since it provided officers for the Malay States, and these did not wish for other Asiatic administrators. In the Straits Settlements, however, local administration was carried on by a separate civil service which was open to Asiatics of any race.

THE MALAYAN UNION

Up to the time of the Japanese invasion in 1941, the population as a whole showed little interest in politics. The Malays paid allegiance to their Rulers and looked to the British to safeguard them against the encroachments of the foreign Asiatics. The Chinese and Indians were mainly interested in earning their living, although those among them who had been born in Malaya, or who had lived there most of their lives, were beginning to feel that they had a claim to equal rights in the country with other native-born inhabitants. The British Government had so far maintained unity between these different elements. But for some time constitutional reforms had been under consideration. If Malaya were eventually to stand on its own feet and to govern itself, the determination to do so must come from the people themselves. Real unity of interest and outlook must be developed and all communities must share in the responsibility of government. It was clear that the existing complicated administration, the division of the country into separate units of government and the privileged position of the Malays offered little opportunity for achieving this.

The Japanese occupation ended in September, 1945, and a few weeks later, on October 10, the Secretary of State for the Colonies announced the outline of a new constitution which it was proposed to establish in place of the pre-war system. On April 1, 1946, this constitution began to take effect. Under its provisions a Malayan Union was created, consisting of the nine Malay States and the Settlements of Penang and Malacca, while Singapore (with the Cocos-Keeling Islands and Christmas Island) was constituted a separate Crown Colony. It was felt that Singapore, as a great center of entrepot trade and with a predominantly Chinese population, had interests distinct from the mainland. At the same time, it was also recognized that it has long-standing ties with the rest of Malaya and that at a later date some closer link may be desirable.

The constitution provided that the Malayan Union and the Colony of Singapore would each be administered by a Governor with an Executive and Legislative Council, the composition of these bodies to be agreed upon by the Governor and local opinion. In the Malayan Union, a Local Council in each State and Settlement was also provided for. Both central and local councils would have official and unofficial members, while the Legislative Council of the Colony would also include elected members.

In order to bring about these changes, fresh treaties were entered into with each of the Malay Rulers after discussions with a special British representative in Malaya. Under these new treaties, the Crown was given jurisdiction in each State and could therefore legislate for the Malayan Union as a whole. The Rulers retained complete control of all matters affecting Mohammedan religion and custom. Each Ruler would preside over a Malay Advisory Council under the Chairmanship of the Governor.

A Governor-General was also appointed to co-ordinate policies between the Malayan Union and Singapore. The area under his control was fur-

ther extended to include Sarawak and British North Borneo when these territories were brought under the Colonial Office in July, 1946,* Labuan (now a part of the Colony of North Borneo), and the State of Brunei in Borneo, formerly administered under the High Commissioner for the Malay States.

The new constitution also provided for the establishment of a Malayan Union citizenship available to all, without discrimination of race or creed, who qualify by birth or a suitable period of residence. The exact conditions were left to be worked out in consultation with all interests in Malaya.

REACTIONS TO THE MALAYAN UNION PROPOSALS

Soon after the Malayan Union plan was announced, growing opposition to it began to appear among the Malays. At the root of their objections lay the feeling that the plan would lead to their obliteration by the immigrant communities. The main points at issue were the citizenship proposals and the new treaties with the Rulers. In the cession of even nominal sovereignty by the Rulers, who for centuries have been the constitutional and spiritual leaders of their people, and hold a key position in the structure of their Mohammedan society, the Malays felt a threat to their racial existence.

These reactions produced a display of racial unity among the Malays, marked by a country-wide Malay popular movement, which is an entirely new phenomenon in the country's history. In the past, the Malays have shown little interest in politics, and the marked tendency to separatism between the various States has been one of the obstacles to self-government. When, therefore, shortly after the inauguration of the Malayan Union constitution, the British Government took steps to meet Malay objections it was with representatives of this movement, as well as with the Rulers, that they were able to discuss the country's future.

On July 26, 1946, a committee representing the Malayan Government, the Malay Rulers, and the United Malays National Organization was appointed to draft a new constitution. Their report was published on December 25. It recommends the establishment of a Federation of Malaya to replace the Malayan Union, and consisting of the same territories. The Central Government would consist of a High Commissioner, a Federal Executive Council, and a Federal Legislative Council. The Legislative Council would comprise the High Commissioner, 14 official and 34 unofficial members, selected on a basis which will give full representation to economic as well as racial interests. Special provision would be made for the election of members as soon as possible.

In each Malay State the Government would consist of the Malay Ruler (who would be the constitutional Ruler, though bound to accept British advice on all matters except Mohammedan religion and custom), a State Executive Council, and a Council of State with legislative powers. Penang and Malacca would each have a Settlement Council with legislative powers.

The form of citizenship recommended by the committee is one which would be in the nature of an addition to nationality, and which would not, for instance, affect the status of subjects or Rulers in the Malay States,

* See Appendix, p. 60.

and of British subjects in the British Settlements. It would confer privileges such as qualification for electoral rights or membership of the Councils, and would impose obligations.

The British Government have given conditional approval to these proposals, subject to any views which may be expressed by the other communities who are now considering them.

If they are accepted they should go far towards laying the foundation from which Malaya can progress towards full self-government. While overcoming Malay objections to the Malayan Union constitution, they preserve the fundamental objectives which the British Government feel to be essential to Malaya's progress, namely, the establishment of a strong Central Government with control over all matters of importance to the country as a whole, and the creation of a common citizenship for all those who regard Malaya as their real home and the object of their loyalty. The patient discussion and good will on both sides, which have been brought to bear on one of the most complex situations with which any country is faced, is a clear example of the method of partnership through which Britain is endeavoring to help forward the people of the Colonies.

X. FIJI

The first authentic record of the existence of the Fiji Islands is that of the Dutch explorer Abel Tasman, who sighted them in 1643. During the next two hundred years, they became known to a number of navigators and explorers, and were visited by traders in search of sandalwood and *bêche-de-mer*, for Far Eastern markets. Some of these traders took up residence in the islands and may be regarded as the first white settlers.

Up to the second half of the nineteenth century, the Fiji Islands had none too favorable a reputation. They were divided among seven small, independent and warring tribes, each under its own Chief. One of these, Thakombau, endeavored for some years to unify the country under his control. Cannibalism and other savage practices were still the natural order of Fijian society. Christian missionaries began to arrive in 1830, and although Thakombau was baptized in 1854 and ordered heathen practices to cease the work of the missionaries remained extremely hazardous, one of their number being killed and eaten as late in 1867.

In 1858, Thakombau, unable to control the rival chiefs, offered to cede Fiji to Britain in order to put an end to a state of confusion and economic distress in the islands. The offer, however, was declined, and it was only when it was repeated in 1874 that Fiji became a Crown Colony.

Since then, internal strife has ceased and considerable social progress has been made particularly in education (96 per cent of the population are said to be literate) and in health measures which are now being promoted largely by Fijian-trained doctors and nurses.

EUROPEANS, FIJIANS, AND INDIANS IN THE CENTRAL GOVERNMENT

For the Colony as a whole, the Great Council of Chiefs gives the Governor authoritative advice on Fijian questions, and it is from a panel

of names submitted to him by this Council that the five Fijians who serve on the Legislative Council are selected. There are also five European unofficial members on the Legislative Council, and five Indians to represent their compatriots who, coming to Fiji originally to work on the sugar plantations, are now almost as numerous as the Fijians. The official members of the Legislative Council have a majority of one but the unofficial members have the right to demand that any matter on which there is a difference of opinion should be referred to the Secretary of State for the Colonies. Further amendments to the constitution are under consideration.

The Executive Council consists of five official and four unofficial members. The first Fijian member was appointed in May, 1943, when the office of Adviser on Native Affairs (since renamed Secretary for Fijian Affairs), which carries with it membership of the Executive Council, went to a Fijian, Ratu Sir Lala Sukuna. A second Fijian member of the Executive Council, and an Indian member were appointed in January, 1946.

LOCAL GOVERNMENT WHICH RESEMBLES INDIRECT RULE

Under a system of local government which preceded and to some extent resembles the Indirect Rule of the African Dependencies and is designed to conform as closely as possible to ancient laws and customs, the Fijian people exercise a considerable measure of control over their own affairs. For administrative purposes the Colony is divided into five districts each with its own District Commissioner and one or more District Officers whose work, as in Africa, is to advise and guide the people but not to rule them.

Every village has its own Headman who, after consultation with the village elders, speaks for his people. The villages are grouped into districts, each group under the control of a Chief. Every district has its district council, to which wider powers in the making of local regulations were given in 1944. The districts in their turn are grouped into provinces, each province under the control of a High Chief. Every province has its own provincial council which reports direct to the Governor through the Secretary for Fijian Affairs and its recommendations become local laws when they have received the Governor's assent.

CLOSE LINK BETWEEN THE CENTRAL GOVERNMENT AND THE NATIVE ADMINISTRATION

By the enactment of the Fijian Affairs Ordinance of 1944, the five Fijian members of the Legislative Council, together with a legal adviser and the Secretary for Fijian Affairs as Chairman, now form a Fijian Affairs Board.

The establishment of this Board means that Local Native Government is now almost entirely in the hands of the Fijians themselves. It largely controls the finances of the native administration and, in addition to its ordinary administrative duties, it can make regulations binding on the Fijian population. Though the Legislative Council still has to approve such regulations, the Chairman of the Board (that is, the Secretary for Fijian Affairs) can immediately grant provisional assent to a new regulation, if he believes that the public interest requires that it should be

brought into force before the next meeting of the Legislative Council. The Board held its first meeting early in 1945.

Fijians are well represented on local Town Boards, which have jurisdiction in urban districts over public health and other measures, and in rural districts on Boards which are responsible for the maintenance of public roads. They have their own Native Courts, Provincial and District, in which justice is administered according to a recognized Code of Native Regulations. District Commissioners together with Native Magistrates preside over the Provincial Courts but in the District Courts Native Magistrates sit alone.

When in 1874 Fiji was finally annexed to Britain, Queen Victoria received the following message: "The King gives Her Majesty his old and favorite war club, the former, and until lately the only known, law of Fiji. . . . Many of his people, whole tribes, died and passed away under the old law; but hundreds of thousands still survive to learn and enjoy the newer and better state of things. With this emblem of the past the King sends his love to Her Majesty, saying that he fully confides in Her and in Her Children, who, succeeding Her, shall become Kings of Fiji, to exercise a watchful control over the welfare of his children and people; who, having survived the barbaric law and age, are now submitting themselves under Her Majesty's rule, to civilization."

It may fairly be held that this trust has been respected.

XI. THE SEYCHELLES

The 92 Indian Ocean islands which form the Seychelles lie north from Madagascar and Mauritius. Captured from the French during the Napoleonic Wars, they were governed as a dependency of Mauritius until 1903, when they became a separate Colony under their own Governor assisted by an Executive and a Legislative Council.

The people of the Seychelles, who number only 32,000, are descended, for the most part, from French settlers, but there are also numbers of Africans, the descendants of freed slaves, together with Indians and Chinese who settled on the islands for trading purposes.

Before the recent war, the people were represented on the Legislative Council by three official and three unofficial nominated members. Soon, however, an elected element is to be introduced. In January, 1944, the Governor announced that the constitution of the Council was to be amended to provide (with himself as President) for six official and six unofficial members. "During the war," he said, "the six unofficial members will continue to be nominated by the Governor, but as soon after the war as is practicable, H.M. Government will be prepared to agree to the introduction of elections in respect of up to three of the unofficial members, if in the meantime it is satisfied that elections are desired by a substantial and representative body of responsible local opinion amongst that part of the community which will be affected." On January 30, 1946, the Under-Secretary of State for the Colonies announced that such elections had been agreed to and would take place as soon as the necessary amendment to the constitution could be brought into force. He stated

that the franchise would be based on a property or income qualification with a simple literacy qualification.

It will be readily appreciated that with so small a population this announcement marks a considerable advance in political development.

XII. CONCLUSION

"A uniform rate of progress in all Colonies is impossible. They contain a large variety of peoples at various stages of development, so that there is no magic formula by which they can be brought in regular procession to self-government," said Viscount Hall, when Secretary of State for the Colonies in June, 1946. "The keystone of our colonial policy for improving the wealth and well-being of our Colonial peoples," he continued, "is, in my view, co-ordination; and steady progress along several lines of development, all of which interact one on the other, with the administration at the Colonial Office and the Colonial Governments, each making their contribution in research, planning, men, money and materials. Without great improvement in basic economic conditions, few of the Colonies can be expected to show substantial social or political progress. Improved social services can make a contribution to greater efficiency and productivity, and in the Colonies the field of advance which will be opened up by better education is immense. Even political development of itself may react upon the social and economic welfare of a whole community, by releasing potentialities for self-reliance and self-help. . . . If we can succeed, by patient industry, in providing the Colonies with more liberty, higher standards of health and better education, and with larger opportunities for creating their own wealth, then we shall have carried out our trust, and the expanding prosperity and happiness of the 60 million of our Colonial people will be assured."

We have seen the development of this policy in a number of territories. In others, not mentioned here as having made progress within the past few years, education towards political responsibility, the essential preliminary to progress, is being ceaselessly pursued. Britain has evolved a sound and healthy system, infinite in its powers of expansion, positive in its scope of achievement. In the quiet and steady building up of democratic institutions lies its unity and its strength.

APPENDIX

The Present Position in the Legislatures of Other British Dependencies

WEST INDIES

The Bahamas are administered by a Governor, an Executive Council, with official and unofficial members, a nominated Legislative Council and an elected House of Assembly. The secret ballot system of voting, which has been in existence in all electoral districts of New Providence since 1939, was extended to the Out Islands in July, 1946.

The Leeward Islands Colony is divided into four Presidencies—*Antigua*, *St. Kitts-Nevis*, *Montserrat* and *Virgin Islands*—each under an Administrator or Commissioner, and all controlled by one Governor. There is a Federal Executive Council with official and unofficial members, and a General Legislative Council with nine elected members representing the four Presidencies, and nine official members.

With the exception of the Virgin Islands, where there is an Executive Council only, each of the Presidencies has an Executive Council and a Legislative Council. In the latter, the official members are in a majority of one over the elected members.

The Windward Islands are grouped under one Governor, but there is no common legislature. *Grenada*, *St. Lucia*, *St. Vincent* and *Dominica* each have an Executive Council and a Legislative Council. The latter have official, nominated, and elected members; the official and nominated members together form a majority over the elected members.

British Honduras is administered by a Governor, an Executive Council, and a Legislative Council consisting of three officials (including the Governor), four nominated unofficials, and six elected members.

AFRICA

The High Commission Territories: Basutoland, Bechuanaland Protectorate and Swaziland are under the control of the High Commissioner for South Africa. Each is administered by a Resident Commissioner. In Bechuanaland and Swaziland there are European Advisory Councils and Native Advisory Councils which meet under the presidency of the Resident Commissioner. In Basutoland there is a Basutoland Council of 100 members, five of whom are nominated by the Paramount Chief and confirmed by the Resident Commissioner.

British Somaliland is administered by the Governor. There is neither Executive nor Legislative Council.

PACIFIC OCEAN

The British Pacific Islands are under the control of the High Commissioner for the Western Pacific who is also Governor of Fiji.

The British Solomon Islands are administered by a Resident Commissioner with an Advisory Council of three official and four unofficial members.

The Gilbert and Ellice Islands are administered by a Resident Commissioner. There is no Executive or Legislative Council.

Tonga is a British Protected State. The Government consists of the Queen, Privy Council, and Cabinet, the Legislative Assembly, and the Judiciary. The Legislative Assembly consists of the Prime Minister, the Ministers of the Crown (in 1946, three Tongans and one European), seven representatives of the nobles elected by the nobles themselves, and seven representatives of the people elected by popular franchise. A British Agent advises the Queen on a variety of matters including finance and foreign affairs.

Pitcairn Island was settled in 1790 by mutineers from H.M.S. *Bounty*. For many years it was governed in patriarchal fashion. Later, a code of law was written and a government established consisting of a Magistrate elected annually by the inhabitants, and a Council of two members. In 1898, Pitcairn came under the jurisdiction of the High Commissioner for the Western Pacific. It is now administered by a Council consisting of a Chief Magistrate, two Assessors, and two other officers, all of whom are elected annually by the people.

CONDOMINIUMS

Canton and Enderbury Islands, which previously formed part of the Gilbert and Ellice Islands Colony, became an Anglo-American Condominium in 1939. This is under the joint administration of a United States and a British official.

The New Hebrides are a Condominium of Britain and France. A British and a French Resident Commissioner act in concert, each assisted by a staff of officers. Joint agreement must be reached in all decisions affecting the administration. Each Power retains sovereignty over its own nationals.

ATLANTIC AND INDIAN OCEANS

The Falkland Islands are administered by a Governor, with an Executive Council and a Legislative Council on both of which there are official and unofficial members.

St. Helena is administered by a Governor, with an Executive Council. *Ascension Island* and *Tristan da Cunha* are dependencies of St. Helena.

Aden was administered by the Government of India up to 1937, when it became a Crown Colony. From 1937 to 1946, it was under the control of a Governor, with an Executive Council. On January 6, 1947, a Legislative Council for Aden Colony was inaugurated, consisting of the Governor as President, four ex-officio members, four official members, and

eight unofficial members, who for the present are nominated but later on will be elected.

The Governor also controls the Aden Protectorate, which consists of territories and dependencies of Arab Chiefs in protective treaty relations with the British Government. The Legislative Council has no jurisdiction over the Protectorate.

Mauritius is administered by a Governor, with an Executive Council, and a Legislative Council which has an elected minority. Proposals are under discussion for increasing the number of elected members, and for extending the franchise.

ASIA

Hong Kong is administered by a Governor, with an Executive Council and a Legislative Council, the latter composed of nine official and eight unofficial members, three of whom are Chinese. There is also a Chinese member of the Executive Council. A revised constitution is at present under discussion between the Governor and representative individuals and associations in Hong Kong. The scheme at present proposed would include the setting up of a Municipal Council of 48 members, 16 elected by the Chinese, 16 elected by the other races, and 16 nominated by provincial and other bodies, to take over control of such matters as public works, education, health, and finance.

Sarawak became a Crown Colony on July 1, 1946. The country had been ruled by the Brooke family since 1842, when James Brooke was appointed Rajah by the Sultan of Brunei. At that time, Britain refused his suggestion that the country should be taken over by the Crown, but in 1864 recognized the independence of Sarawak, and in 1888 agreed to assume responsibility for foreign affairs and defense. In 1941, legislative authority was given to a State Council with a majority of Asiatic members elected from among the native Chiefs and district heads. At the same time a Resident was appointed to represent Britain in Sarawak, but had no control over internal affairs. The proposal to cede Sarawak to the British Crown originated with the Rajah, and the cession was completed after the people had been consulted through their representatives in the State Council. The new Governor will submit proposals to the Secretary of State for the Colonies for a revised constitution. These proposals will be made after consultation with leading representatives of the people and will aim at associating the peoples with the administration of the territory on the broadest basis that present conditions permit.

British North Borneo became a Crown Colony on July 15, 1946. Up to that time, it had been administered by the British North Borneo Company, whose charter was granted in 1881. A draft agreement for the transfer of the Borneo sovereign rights and assets from the British North Borneo Company to the Crown was published on June 26, 1946, and the cession was confirmed by Order in Council of July 10, 1946. The Governor is at present assisted by an Advisory Council, with unofficial representatives. The future constitution will be announced after full consultation with all interests concerned. Labuan, formerly a part of the Straits Settlements, is now part of the Colony of North Borneo.

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